P.W.D. (1944.) Department.

MS. SERIES.

G.O. No. 2325

Dated 17.8.1944

[Despatch Abstract.]

Buildings - South Kanara
Mangalore - Collector's Bungalow Compound
Surplus extent - Sale to the St. Agn
College - Authorities - Ordered

Judicial **DEPARTMENT.**

Received ..... 19 *Registered* 26 SEP 1941 4044 19

Subject.

Suits - (South Kanara) - Madras High Court - A.S.No. 280 of 1938 - Land Acquisition - Collector's Bangalow - Result.

ENCLOSURES.
No. .....
.....
Spare copies .....

No. 972

Station Madras., *Dated the* 24th September 41 19

From (Name) Sri K. Kuttikrishna Menon,
(Designation) Government Pleader.

To The Secretary to the Government of Madras,
Public Works Department.

Sir,

With reference to Government Memorandum No.3858 G/41-2, Public Works, dated 15-9-1941, I have the honour to state that A.S.No. 280 of 1938 on the file of the High Court came on for hearing before Mockett and Kunhi Raman JJ. and their Lordships heard the appeal on the 9th, 18th, 19th, 22nd and 23rd September 1941 and delivered judgment to-day allowing the appeal and the memorandum of Cross-Objections in part. The result

result of the decision is that the compensation payable by the Government is reduced by Rs.5,400/-. Parties are directed to pay and receive proportionate costs both in the appeal and the memo of objections.

I have the honour to be,
Sir,
Your most obedient servant,

K Kuttikrishna Menon
24.9.41
Government Pleader.

P.W.D.

Endt. No. 4044. G-41-1 of 2.10.41

Communicated to the Board of Revenue
C.E. (B&R).

To the Bd. of Rev.
C.E. (B&R) with a copy of G.P's letter.

Note:

Public (Spl.), Rev. & Fin. may see after issue.

P.W.D. No. 4044. G-41-2. 11.10.41

Public (Spl.)

Rev

ASSISTANT SECRETARY TO GOVT.
13 OCT 1941
CHIEF SECRETARIAT

15 OCT 1941

Memo. no. 3707-C/41-1 dt 31-X-41.

Land Acquisition - South Kanara Mangalore - Collector's Bungalow - Enhanced Compensation awarded by the High Court — Ref: Endt. no. Home. C-41-1 dt 2.10.41.

The attention of Board of Rev. is invited to its L.Dis. no. E. 5832/39 dt 21.11.1939 and it is requested to report whether the size of the Compound the Collector's residence at Mangalore can be reduced. If so, proposals for the disposal of the land surplus to requirements, should be submitted.

Department

From (Name) Sri K. Kuttikrishna Menon,

Designation Government Pleader,

Station Madras.

G 4330.

16 DEC 1941

Received ——— Registered ———

To The Secretary to Government,
Public Works Dept.
Madras.

Enclosures: ———

No. 1339. dated 10th December 194

Sir,

Suits - (South Kanara) - Madras High Court - A.S.No. 280 of 1938 - Land Acquisition - Collector's Bungalow - Result - Certified Copy of judgment - forwarded.

Ref. In continuation of my letter No.972, dated 24-9-41, reporting the result ~~xx~~ of the above appeal, I have the honour to forward herewith a certified copy of the judgment of the High Court therein.

PWD.

I have the honour to be,
Sir,
Your most obedient servant,

K. Kuttikrishna Menon
10.12.41
Government Pleader.

The Reply of the Bd of Revenue of memo 3707 C/41-1 is awaited.
This may be added on to the main file.
Will Secy Bd will be again reminded on 20-12-41.

Subject.

Land Acquisition - (South Kanara) - Mangalore Collector's bungalow - Enchanced compensation awarded by the High Court.

Ref.b. No. 1516/42-1

Station: Madras, Dated 12.9.1942.

From

R. Gailetti Esq., I.C.S.,
Joint Secretary, Board of Revenue.

To

W. Scott Brown Esq., C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue and Irrigation.

READ: Government Memo.No.3707 c/41-1, Public Works Department dated 31.10.41.

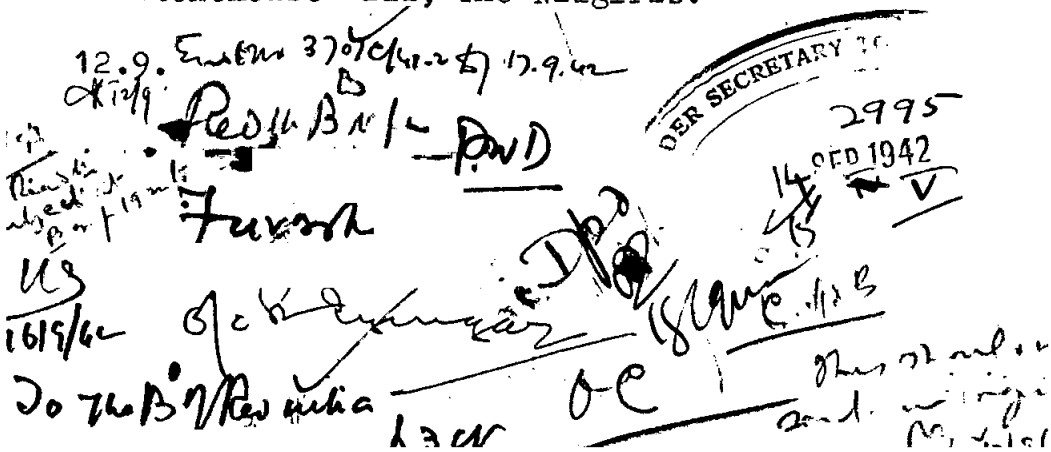
Reference:

With reference to the Exchange Reminder dated 22.8.42 from Government the Board requests that a copy of

of the Government Memo. cited above may be furnished.

for Joint Secretary. 12.9.42

To the Secretary to Government, Public Works Department
Stonehouse Hill, The Nilgiris.



REVENUE DEPARTMENT
Subject.

BUILDINGS - Government - Residential - (South Kanara) - Mangalore - Collector's bungalow compound - Surplus extent - Private sale to St. Agnes College - Proposed - Submitted.

Refce. n/i No.5489/41-11,

Station: S a l e m, dated the 23rd March 1943.

From

S.Y. Krishnaswami, Esq., I.C.S., Secretary, Board of Revenue.

G.W. Priestley, Esq., C.I.E.,I.C.S., Commr. of Land Revenue.

Read: Government Memorandum No. 3707 C/41-1, Public Works Department, dated 31-10-1941.
Letter from M.V. Subrahmanyam, Esq., I.C.S., Collector of South Kanara, Ref.C.B3.6072/41, dated 27-11-1941.
Letter from M. Karamatullah, Esq., I.C.S., Collector of South Kanara, Ref. B.5.No.7030/42, dated 12-12-1942.
-do- -do- 15-1-1943.
-do- -do- 8-3-1943.

REFERENCE:

With reference to the Government Memorandum cited above, the Collector has reported that at present the compound comprises T.S. No.345/1 (19-84 acres) and T.S.No. 320 (3-75 acres) of Kadri village, measuring in the aggregate 23.59 acres, that the area upto the Western boundary of T.S.No. 345/1 B as shown in the sketch enclosed, is required as a necessary adjunct to the Collector's bungalow and that the area lying to the east of this boundary, measuring 9-83 acres, is really surplus to requirements and may be disposed of. He first proposed the disposal of this surplus extent by parcelling it into convenient plots of 30 or 40 cents each and selling them in auction for house sites. The Chief Engineer (Buildings and Roads) agreed with him. Subsequently, the Collector has reported that the Principal and Mother Superior of the St. Agnes College, Mangalore, has requested that the surplus extent of 9-83 acres may be made over to the College by private sale for educational purposes on payment of a reasonable value that may be fixed. He has strongly recommended the request of the College authorities in preference to his first proposal as it will save Government the expenditure that will have to be incurred in the preparation of a lay-out and in providing civic amenities, to the locality. He has also reported that the College is a very important and popular public institution growing in strength and usefulness day by day, that

that already a need for extension has been felt, the space available in its compound being too little and that the plot in question is conveniently situated, lying opposite to the College premises. He estimates the market value of the surplus extent of 9-83 acres to be Rs.32,075/- at the rates as finally fixed by the High Court of Judicature, Madras and recommends that Rs.32,000/- may be fixed as the value of the site. The College authorities have consented to pay this amount. Some lawyers of Mangalore town have sent in an unsigned petition offering to pay at Rs.4,000/- per acre or any reasonable price which the Government may fix for the site. This offer need not be considered for the reason mentioned above. Mrs. U. Kalyani Bai and others of Kadri village have also sent in a petition claiming a right of way and asking for the reservation of a cart track through the plot. The Collector has reported that this matter is under correspondence with the Revenue Divisional Officer, Mangalore and the Commissioner of the Municipality.

2. The Board considers that the proposal to hand over the site to the College has a decided advantage in keeping all the land to one owner and selling it for a praise-worthy purpose. The College has an extremely good reputation for Girls' education. The offer of the College authorities is very reasonable in amount. It does not also involve any complications in the way of the provision of amenities. It would provide the Collector with neighbours who will be quiet and inoffensive and be extremely unlikely to cause him any annoyance

Regarding the claim for a right of way through the plot, a further report will be submitted as soon as it is decided.

xx xx

TRL Narayanan
23.3

for SECRETARY.

To the Secretary to Government, Public Works Department, Stone Hill, The Nilgiris - paras 1 and 2 with the sketch.
To the Collector of South Kanara - para 3 only.

D.M. No 3707-C/41-3 Dt 14-8-43.

Bldgs - Govt - Residential - (South Kanara) Mangalore - Collrs bungalow compound - Surplus extent - Disposal - Proposal.

From the Board of Rev, Refee. N/i No 5489/41-3 Dt 25-3-1943.

The Board of Rev is informed that in the L.A. Appeal Suit No 280/1938, the High Court set aside 11 acres for the Collr's bungalow. The Board is requested to ~~state in detail~~ why it has allowed a larger area viz 13.76 acres for the bungalow. The

2. The Board has not apparently

To

ascertained whether the land is require

or for any other purpose or by any dept of Govt. It is requested to ~~ascertain from~~ [illegible] ~~the Govt of South Africa~~ & to report whether any dept of Govt has any proposal under consideration for which this land would be useful. ~~Land is probably going~~ In view of the increasing trend of land value ~~up in value and there is no need to~~ dispose it of ~~in haste~~ hastily. If it is finally decided to sell the land, it should be advertised for sale and not ~~be~~ sold ~~at~~ a sacrifice to the first applicant.

[illegible] 5/5/43

[illegible] 5/5/43

[illegible] 6/5/43

[illegible] 7/5/43

To The Bd of Re

Government of Madras.
Public Works Department.

Memorandum No. 3707 C/41-3, dated 14th May 1943.

Buildings - Government Residential-(South Kanara) Mangalore - Collector's bungalow compound - Surplus extent - Disposal - Proposal.

From the Board of Revenue, Reference N/i No. 5489/41-11, dated 23rd March 1943.

The Board of Revenue is informed that in the Land Acquisition Appeal Suit No. 280/1938, the High Court set aside 1¼ acre for the Collector's bungalow. The Board is requested to state why it has allowed a larger area, viz., 13.76 acres for the bungalow. The Board has not added 15 per cent solatium to the cost of the land. It is requested to state why this should not also be recovered if it is decided to sell it to a private party.

2. The Board has not apparently enquired whether the land is required for any other purpose or by any department of

Government. It is requested to do so now and to report in consultation with the Collector of South Kanara, if necessary, whether any department of Government has any proposal under consideration for which this land would be useful. In view of the increasing trend of land value there is no need to dispose it of in haste. If it is finally decided to sell the land, it should be advertised for sale and not be sold at a sacrifice to the first applicant.

C.K. Vijayaraghavan,
Secretary to Government.

To

The Board of Revenue.

Forwarded. /By Order/

Superintendent.

A.Sh. 14/v.

E.T. Remuneration Removed & held below

GOVERNMENT.

REVENUE DE[redacted]

SUBJECT - LAND - (SOUTH KANARA) - Mangalore - Collector's bungalow Compound - Private sale to St.Agnes College, Bangalore - Letter from Principal and Mother Superior dated 29-11-42 thro' the Director of Public Instruction with Rc No.158 D-43, dated 2nd March 1943.

ORDER PASSED NO.1040 F/42-1, DATED [illegible] 1943.

Forwarded to the Collector of South Kanara for report thro' the Board of Revenue.

C.M.C.DUNLOP,

UNDER SECRETARY TO GOVERNMENT.

To the Collector of South Kanara.(with enclosure to be returned with report)
Copy to Govt. to the Director of Public Instruction.
Copy to the Principal & Mother Superior St.Agnes College, Bangalore.

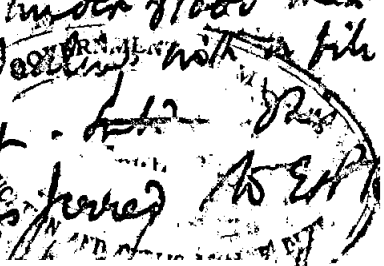
FORWARDED/BY ORDER.

SUPERINTENDENT

Please see Copy of the
letter as printed above sent
to the Principal and another
to Superior of the College asking
for the letter in original with the
envelope.

5921(5)

2 It is understood that
Rev. Fr. are dealing with this
on this subject.



Yours truly

to Leo Flag

Ed P H (B)

The letter referred to at 'A' on p. 1 ante was received in this Deptt and Sent to Revenue with E & P H u-o No. 3302(5)-1 B Edn dy 12-3-43. There is no other file on the Subject in this Deptt. As desired by Rev. on p. 2 ante the enclosure returned to Revenue

15/5

15.5.43 Rev. w/

13.5.43

Ed Deptt
5521(5)-1 B Edn
18.5.43

Todd

Please see pp 2-3 above
The file requires to
has since been
received from the P.W.D
and returned to Mat dept
with Revno no. 17905 Jus-1,
8/18/57 Jus. This may be
passed to P.W. in continuation
of their

[illegible]
30/5/43

[illegible]
Revno 17905 Jus-1
22/5/43

[illegible]
ER SECRETARY TO GOVERNM
V
04 MAY 1943
2750
PUBLIC WORKS DEPARTMEN

P. 20.5

Thus may be added
to the file

24/5/43

Exchange
remind on
removal of
below

Director of Public Instruction,
M a d r a s. 26th February 1944.

D.O.

My dear Strathie,

I have been struggling for over a year to get some excess land belonging to the Collector's bungalow at Mangalore allotted to the St. Agnes College, Mangalore. If the land cannot be allotted to the St. Agnes College, the College is willing to buy the land from Government. All the necessary recommendations were made long ago to Government, the Collector and from the Collector to the Board of Revenue. Stewart, First Member of the Board of Revenue, informed me yesterday on the telephone that the papers were pending with Government. Can you very kindly let me know at what stage the matter is? I consider the land very essential for the development of the St. Agnes College and the high school. As long ago as February 1943, the College was willing to pay Rs.32,000/- the cost of the land as valued by Government.

Yours sincerely,

R. N. Strathie

Sir Norman Strathie, K.C.I.E.,I.C.S.
Adviser to H.E. the Governor,
Fort St. George, Madras.

SECRETARY TO GOVERNMENT
29 FEB 1944
936
REVENUE SETTLEMENT

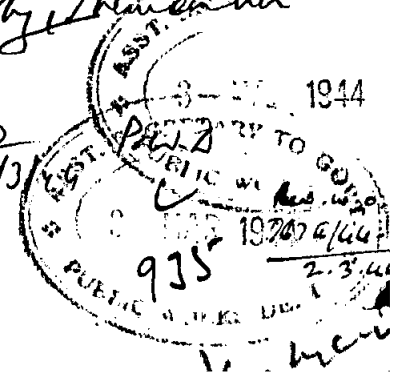
Please see the D.O. from Mr. Statham on p 1 ante.
There are no papers on the subject in this Dept. It has been informally ascertained from P.W.D. that the papers on the subject are pending in that Dept. (C.NO. 3707 C/44). Thus the file may be sent to P.W.D. W.O.

1.3.44 1-3-44

We saw the papers on the previous occasion

L.S. 4.4 S

2/3



D.O.3707C/41-4.

Public Works Department,
Fort St.George, Madras,
6th March 1944.

Dear Mr. Stewart,

Buildings - Compound of the Collector's bungalow, Mangalore - Surplus extent - Allotment to St. Agnes College - Memorandum No. 3707 C/41-3, Public Works, dated 11th May 1943.

The Director of Public Instruction has written to say that you have informed him on the telephone on 25-2-44 that the papers on the subject mentioned above are pending with the Government. The Government are still awaiting the Board's reply to their Memorandum No.3707 C/41-3, dated 14-5-43. In reply to the last reminder, the Board of Revenue stated on 20-1-1944 that you proposed to inspect the locality and that the report would be sent after your inspection. Please let me know whether you have inspected the site and when a reply may be expected.

Yours sincerely,

W.W.Stewart,Esq.,
C.I.E.,M.C.,I.C.S.,-
Commissioner, Land Revenue.

Board of Revenue,
Madras, Camp: Bezwada,
Dated 13--3--1 9 4 4.

My dear Vijayaragnavan, 1080

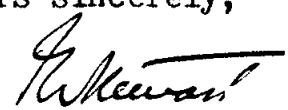
Buildings-Compound of the Collector's bungalow, Mangalore-Surplus extent-Allotment to St. Agnes Colleg D.O.3707 C/41-4 dated 6-3-44.

I did not tell Statnam that the matter was pending with Government. What I said was that he should urge the matter with Government direct instead of through the Collector. This was because the Government had turned down the proposal made by the Collector last May. It seems to me that the College now have a much better proposal and that Government might accede to it. It was when the Mother Superior and another nun visited me and outlined their improved proposals that I telephoned to Statham and arranged with him that they should see him. At the same time I recommended him to take the matter up with Government direct.

I am afraid I shall not be able to inspect the

locality. I have been trying to since last August but have never been able to manage it. The paper is entered in the Personal Inspection Register so will be brought to the notice of my successor.

Yours sincerely,



C.K.Vijayaraghavan Esq.,I.C.S.,
Secretary to Government,
Public Works Department,
Fort St.George,Madras.

D.No. 3707 C/41-5

PUBLIC WORKS DEPARTMENT
Fort St.George, Madras,
Dated 31st March, 1944.

Dear Mr. Stewart,

Buildings - Compound of Collector's bungalow, Mangalore - Surplus extent allotment to St.Agnes College.

Ref:- Your D.O., dated 13th March 1944.

The Government wish to point out that the matter has been pending with the Board for over 10 months and that if it is left to your successor it will be further delayed. If you are unable to inspect the site yourself I am to suggest that the report may be sent without a personal inspection by you.

Yours sincerely,

(Sd) C.K.V.

F.F.Stewart, Esq., C.I.E.,M.C.,
I.C.S.,
Commissioner, Land Revenue.

Revenue Department.

Buildings - Government - Residential (South Kanara) - Mangalore - Collector's bungalow compound - surplus extent - disposal - proposal.

- - - -

C Section - Budget.

C. 1 V-Land Revenue receipts budget.
Control of expenditure under -V(a) Land Rev. - Ordinary revenue.
(b) Sale proceeds of waste lands.
(c) Recoveries on account of survey and settlement charges.
(d) Recoveries of over-payments.
(e) Collection of payments for services rendered.
(f) Miscellaneous.
(g) Deduct - Refunds - Non-voted.
Land revenue refunds.
Treasury administration.
Securities from treasury subordinates.
Military pension payment registers.
Budget relating to 7(d) Assignments and compensations
Budget relating to collection of payments for services rendered.
Ways and Means.

C. 2 Creation of temporary posts in District Rev.establishments other than those for specific items of work dealt with in other sections.
Creation, redistribution, etc. of districts, divisions and taluks and transfer of headquarters.
Transfer of villages from one taluk or district to another.
Creation or abolition of permanent posts in Dt.Rev. establishments
Establishments, budget and number statements under "25-General Administration".

C. 3 District Presses - D.C.B. of press receipts (annual) and return of sanctions for printing of forms, etc. (quarterly)
Annual reviews on the financial results of the working of the establishment of process servers and copyists and examiners.
General questions relating to process service establishments and copyists and examiners.
Budgets (receipts and charges) relating to "25-General Administration" and other heads except special funds and V. Land Rev.
Correspondence relating to provision of funds.
Contingencies.
Permanent advance (Dt. Rev. establishments).
Budget relating to cattle pounds.
Appropriation reports under L.R. heads.

C. 4 Control of expenditure under -
(a) General Establishments - Collectorates and Magistrates.
Court of Wards establishments.
Laccadives and Amindivi establishments
Treasury establishments.
(b) Subdivisional establishments.
(c) Other establishments - Taluk establishments.
(d) Assignments and Compensations.
Special Funds including audit reports.

Point (i) - In para.5 of his letter cited above, the Collector reports that the High Court merely adopted the arbitrary decision of the Lower Court to allow only 11 acres for the bungalow and that if only 11 acres are allowed, the bungalow well and the tennis court will fall outside the compound and that the extent of 13.76 acres has been proposed for the bungalow in order to include these necessaries inside the compound. The Board supports the Collector's proposals that the extent of 13.76 acres may be allowed for the Collector's compound.

Point (ii) - The Collective Board consisting of Messrs. Stewart, Priestley and Lawne examined this point about two years ago. The Collector reported in March 1942 that the site would be required for residential purposes of the District Judge, District Medical Officer, the Sub Judge, the Revenue Divisional Officer, Bangalore, and the Treasury Deputy Collector, South Kanara, who have not been provided with Government residence at Bangalore. But the Board considered it unsuitable for residences of Government officers for the reason that the hill with the Collector's bungalow on its top completely keeps off the sea breeze and that the officers would like to live where they could get sea breeze. The original scheme to locate the D.S.P.'s. bungalow on this land was given up for the same reason and his bungalow was built elsewhere.

The Collector now reports that there has been no other demand for the land from any department of Government.

Point (iii) - Regarding the valuation of the land the Board considers that the proper way is to value it at the present prices and under present conditions according to the instructions contained in the Land Acquisition Manual. As there may not be any sale of such big size for comparison the Board thinks that the best possible way would be to consider the site as consisting of small T.S. plots to be sold for house building purposes as though under a town planning scheme and then deduce the site value after deducting the extent required for roads etc., and the cost of providing civic amenities from the total estimated value.

In his letter dated 27-11-1941 the Collector suggested the setting apart of about ¼ to 1/3 of the surplus extent for streets and lanes and the sale of the remaining extent; and he estimated that the land would then fetch about Rs.4000/- to 4500/- an acre, on the basis of the sale of the adjacent land T.S.346. Adopting the maximum rate of Rs.4500/- an acre, the value of the remainder of 9.83 acres comes to about Rs.40,500/-. Another method of calculation would be to strike an average on the total cost incurred by Government in the acquisition of the land in the ratio given viz., Acs. Acs. Rs.
23.59 : 9.83 :: 84,200:—
This brings the average value to Rs.35,685/-. But this cannot be called a valuation; it can only be mentioned in comparison with the two kinds of valuation mentioned above. It would be desirable to recover the whole cost of acquiring the land including the 15% solatium paid but this cannot be the sole guide. The price which can be obtained and the use to which the land can be put, must be taken into account.

Point (iv) - The Board agrees with the Government that due to war conditions land value has gone up considerably. But being so close to the bungalow of the Collector who needs quiet in his neighbourhood it is not advisable to dispose of the land in such a manner as to lose complete control over its user and therefore auction is not desirable. The extension of the convent property is also very desirable in view of the large part which it plays in providing educational facilities for girls

TRwaramiah

Amendments to General Rules for Provincial Services and Special Rules for Madras Civil Services (Executive Branch).

Amendments to I.C.S. Manual.

Recruitment to I.C.S. (Executive Branch)

Postings and transfers of Deputy Collectors.

Leave to I.C.S. Officers and Deputy Collectors.

Training of I.C.S. officers and Probationary Deputy Collectors.

Promotion from passing vernacular tests.

Half yearly reports on I.C.S. Officers and Deputy Collectors.

Periodicals.

D.2 Amendments to the General and Special Rules for Subordinate Services.

General Interpretation of rules.

Preparation of list of candidates for recruitment to Revenue Subordinate Service.

Determination of probation.

Fixation of rank and seniority.

Relaxation of service rules.

Transfer of subordinates from one district to another.

Recruitment of Probationary Revenue Inspectors.

Petitions, appeals and memorials regarding supersession of claims for promotion.

Appeals against suspension and termination of probation.

D.3. The Madras Subordinate Services Penalties and Appeal Rules.

The Government Servants' Conduct Rules

(a) Acquisition of immovable property.

(b) Acceptance of private employment.

(c) Acceptance of fees and honorarium

(d) Landed property statements.

(e) Insolvency.

Conduct of public servants of officers of all grades other than of Provincial Service.

Appeals against punishment of officers of all grades other than of Provincial service (including memorials).

Sanction of subsistence grant.

Periodicals connected with the above

Urgent.

Ref.No.7030-42-B5.

South Kanara Collector's Office,
Mangalore, dated 13th June 1943.

From

L. Ramachandran, Esq., I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue, Madras.

Sir,

BUILDINGS - Government - Residential - (South Kanara) Mangalore Taluk and Town - Collector's bungalow compound - Surplus extent - Private sale, etc. Further report submitted.

Ref:- Board's ref.B/M.0489/42-1-7,8,9,10,11 and 12 dated 29-12-42, 18-1-43, 28-1-43, 2-3-43, 23-3-43 and 25-5-43 respectively.

The first point that has to be dealt with in this case is about the objection petition of Mrs. C. Kalyani Bai and 5 others referred to in the first five references of the Board quoted above. This petition was resubmitted with my Ref.No.7030-42-B5 dated 8-3-43 and with my subsequent reference dated 7-5-43, I submitted a copy of the Mangalore Municipal Council's proceedings dated 19-4-43 in the matter. I have since inspected the locality. Both the Tahsildar and the Revenue Divisional Officer have found that the owners of S.Nos.304/2, 315, 316/2, 317 and 319 to the immediate north of the portion proposed to be sold have access to their house only through the bungalow compound there being a wicket gate on either end of a foot path passing through that compound, which has been marked in the sketch enclosed. I agree with them in this respect and recommend that the petitioners must be allowed to have the right of way.

2. The next question is whether this right of way is to be allowed in case the land is to be sold. The Municipal Council has approved its Committee's proposal to have a new road connecting the Bendoor road with the Mercara Hill Road and running right through along the northern boundary of the bungalow compound east to west and also to have another road crossing the former north to south through close in the centre. To avoid the cutting of the block to be sold into two, however the Municipal Council is agreeable to have this north to south road between the portion to be sold and that which will remain in-tact. The R.D.C., Mangalore, favours the latter course. Though I agree that a road running East to West is required to give the petitioners and others an access to their houses, I am not for any road running north to south for two main reasons, viz., (1) such a road would diminish the amenities of the Collector's Bungalow by creating a dust and noise - nuisance and destroying privacy and (2) it is unnecessary to have a road as a boundary between the bungalow compound and the rest of the land where a wall will serve the purpose better. Moreover, the traffic could move a little further up the Bendoor road and enter the proposed new road at a point near the St. Agnes College gate.

3. With regard to the new road running East to West, which is absolutely necessary as an ~~xxxxxxxxx~~ easement, I agree that because of the hope that some day the Municipality will continue it onwards to Shedigudde, it should be forty feet wide. But I do not agree with the R.D.C. and the Municipal Council in considering that it should be a straight road throughout as shown in lead pencil wash, for this proposal has two disadvantages. For one thing, it cuts off a small plot which would be useful only for a very small house, which ought to be discouraged in the locality. For another, the straight road would run right into the convent gate at which children congregate and thus create a traffic problem. Children from the new road would also tend dangerously to cross the major road to join their friends at the convent gate. I, therefore, recommend that the proposed new road should take a slight 'S' bend and meet the Mercara Hill road at right angles to it at a point a little north of the convent gate as shown in the dotted lines. Another advantage of this bend is that it will have the effect of gradually causing fast moving traffic to slow down before reaching and turning into the major road and, further, it would

cut

BOARD OF REVENUE
17 MAY 1937
MADRAS

Enclosure to the progress report for the fortnight ending 15th May 1937.

BOARD OF REVENUE
17 MAY 1937
MADRAS

Special Report.

No special difficulties were felt in the working of the Scheme in the new firkas in the fortnight. I found the creditors in the cases settled generally more reasonable in the matter of scaling down of the debts due to them and some of the debts were very old. Hence the improvement in the percentage obtained in the fortnight.

I think the Scheme is going to prove a success in the new firkas.

Mangalore
16.5.37

Special Loans Officer,
South Kanara.

cut off only a very small portion from the block to be sold which could be left as road margin for widening the mouth of the road at some future time.

4. Now on account of Government Memo.3707-B/41-3 dated 14-5-43 communicated with the Board's reference last quoted above, the question arises, as to whether the surplus land should be sold in private sale to the Convent or sold in public auction or whether it is required for any other purpose or by any department of Government. The question of reserving the site for residences of Government officers, such as the District Judge the District Medical Officer, the Sub Judge, the Treasury Deputy Collector and the Revenue Divisional Officer, Bangalore, was once considered and probably dropped by the Board, - please see Board's Ref.B.No.5489/41-3 dated 26-2-42, my report thereon Doc.No.6072-B3-41 dated 18-3-42 and the Board's further reference thereon ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ No.B.5489/41-4 dated 10-4-42. Personally, I think it should be reserved for residences of Government Officers. My proposals in paras 1 to 3 have been made only if the plot cannot for any reason be reserved but has to be sold. As regards question of sale by public auction, I invite the Board's attention to para 2 of my Ref.BB.No.7030-42 dated 12-12-42 and submit that for the reasons explained therein a sale by public auction is not desirable. I also submit that there has been no other demand for the land from any Department of Government.

5. The Government have raised another question as to why inspite of the High Court decision allowing only 11 acres for the Bungalow, it is proposed to allow 13.76 acres for the purpose. In this connection, I invite the Board's attention to Mr. Subramanyam's letter Ref-C.No.B3.6072-41 dated 27-11-41 and the sketch submitted therewith and submit that the High Court merely adopted the arbitrary conclusion of the Lower Court to allow only 11 acres ~~the Bungalow~~ this will be exceeded in fact now it only 11 acres are allowed, even the Bungalow cell and tennis court will fall outside the compound. It was for including these necessaries inside the compound that 13.76 acres were allowed. If, however, it is decided that the residences of Government Officers should be in the surplus extent, it will be possible to reduce the extent by accommodating one or two District Officers, such as the District Judge and the District Medical Officer in a portion of the compound, so that the well and the tennis and Bauminton courts could be used jointly by the officers. In such an event, it will also be possible to spare some portion of the surplus area for sale to the St. Agnes Convent only for the L.T. class, which is proposed to be opened. On receipt of final orders as to how the surplus extent is to be disposed of, I shall, if necessary, submit concrete proposals.

6. The only point that now remains to be answered is about the recovery of 15 per cent solatium from the St. Agnes Convent authorities if the surplus extent is to be given to them. In this connection, I invite attention to the second sub-para of para 3 of my Ref.B.B.No.7030-42 dated 12-12- wherein I have explained the matter.

short work in the fortnight. Yet, during the fortnight, a sum of Rs.1,510/- was disbursed in the old Manaparai area (Rs.230/- ripe for disbursement could not be paid due to the absence of parties) and tentative sanction was accorded to a an extent of Rs.1,525/-. Besides this, a sum of Rs.13,781/ is covered by applications which have been referred to the Co-operative Department and in all these cases the private debts have been settled. As soon as replies are received from the Deputy Registrar, Form IV could be issued in all these cases. Applications covering Rs.5,020/- are ripe and I hope to finish the final enquiry in these as well as some other cases (Rs.4,130/-) and disburse the amount in the current fortnight. Besides these applications to the value of Rs.5,823/- are covered by tentative sanction. These alone, as already reported in my previous Progress Report, will engage me till the end of Septmenber. As regards further extension of the scheme to other areas, I took advantage of the Jamabandi at Jayankondam and consulted the several village officers of Kamarasavalli Firka, wherefrom application have already been received. From what I gather conditions there are similiar to those in [illegible] Palur [illegible]rka and the village officers expect twenty percent of the creditors to scale down. The scheme may therefore be extended to that firka also.

Sreenivasa

RR16-5-37. SPECIAL LOANS OFFICER.

16.5.37

Ord 5/6.

P.W.D

Buildings - Govt. Residential - South Kanara Mangalore - Collector's Bungalow Compound Surplus extent - disposal.

Ref:- Correspondence ending with Ref. of Bd. of Rev. No. E. 5489/41-13 dt 21.4. Memo. 3107 C/41.7 dt 3.6.44

The Bd. of Rev. is informed that the Gov. agree to the proposal to retain 13.76 acres for the Collector's Compound. The remaining extent of 9.83 acres may be offered to the St. Agnes College authorities for a sum of Rs 36886/- inclusive of the solatium of 15%.

2. As regards the right of way referred to in para 1. of the Bd's Refce, the town planning scheme referred to by the Board is apparently still at the stage of consideration by the Municipal Council itself. Although the East to West Road may not be justifiable, and a foot path may do instead, so far as the house-owners who are contending for a right of way are concerned, it is desirable, particularly since the Bd. has suggested the elimination of the north to south road, that there should be a road under the Town planning scheme, which is being considered which would connect the Bandoor Road and the Kadve Road;

and for this purpose, the proposal of the collecto
to have an East to West road, in so far as
it provides a link-up as an alternative t
the north to south road which is proposed t
be eliminated, is ~~agreed to~~ preferable ~~approved~~. This road woul
replace the foot-path proposed by the Board
upto the place where the proposed road from
Kadve Hill comes down; beyond that a foot-
path will suffice for the house owners in
question. The offer ~~made in para 4~~ to the College authorities should therefore be ma
to the condition that the extent required
the road, suggested above ~~which will be 40 ft~~ feet wi
should be kept free, without any reduction
price of the plot (Vide Rs. 36,886) ~~becoming payable~~ on this accoun

3. The Bd. of Rev. is requested to ascertain from the Collr, Mangalore, whether the St. Agnes College authorities are ~~forthcoming~~ willing to accept the offer under the conditions stated above.

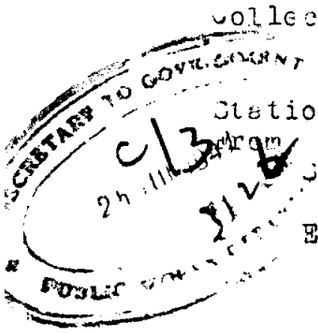
COS 2/6/44 2/6/44 D. S. L. 6. 44

Revenue Department.
Subject.

Buildings - Government Residential - South Kanara - Mangalore-Collector's Bungalow compound - Surplus extent - disposal.

Ref:B.5489/41-16.

Station: Madras. Dated 15-7-44.



From

Sri Rao Sahib S. Virupakshe Chetty, B.A.,
Joint Secretary, Board of Revenue, Madras.

To E.C. Wood Esq., O.B.E., I.C.S., Commissioner of Land Revenue, Excise, Separate Revenue and Commercial Taxes.

--

Read:- From the Government of Madras, Public Works Department, Memorandum No.3107.C/41-7 dated 3-6-44.

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2. From Sri Rao Sahib B. Ramadoss, B.A., Collector of South Kanara, Ref.B.7030/42 dated 27-6-44:-

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Ref:- Board's Ref.No.B.5489-41-14, Land Revenue dated 9-6-44.

The St. Agnes' College authorities are willing to accept the offer under the conditions specified in paragraph 2 of the Government Memorandum mentioned in the B.P. quoted above. But they are emphatic that the roads should not cut through the area to be purchased by them but may be on the side boundaries. A copy of the statement of the Mother Superior is enclosed.

2. The Municipal Council in its resolution, dated 7-6-43 has approved the opening of the two roads as shown in the enclosed sketch. But my predecessor-in-office was not in favour of the construction of the north to south road. I fully agree with him that a north to south road will detract seriously the usefulness of the bungalow as a Collector's residence as it will be deprived of privacy and become exposed to nuisance, trespass, noise, petty thefts and damage by the public, which is the case even now.

Statement of ~~Revenue~~ xxxxxxxxx Mother Sylvia, Mother Superior, St.Agnes' Convent, Mendoor, recorded by the Personal Assistant to the Collector on 16-6-1944.

I am the Mother Superior of the St. Agnes' Convent, Mendoor The St. Agnes' Convent is managed by the Apostolic Carmel - a registered body. On behalf of the body, the Superior General has got powers to transfer and purchase lands. I have been authorised by the Superior General to give consent in this case. I have carefully gone through B.P.Ref.B.5489-41-14, Land Revenue dated 9-6-44. I am willing to agree to the conditions mentioned in paragraph 2 of G.O.3107-C-41-7/P.W. dated 3rd June 1944 namely purchase about 9.85 acres of land forming the surplus extent of the Collector's Bungalow compound for Rs.36,880/- inclusive of the solatium of 15% subject to the condition that the extent required for the roads should be kept free without any reduction in the price of the plots mentioned above. We are agreeable that the roads should not cut through the area to be given purchased by us, but may be on the side boundaries,

Read over by me --- Correct.

M. Sylvia, A.C.

Taken down before me. Read over by the deponent and admitted by her to be correct.

Sd/. C.Sattatriya Rao,
P.A. to the Collector, 16-6-44

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Read:- 3. From the Collector of South Kanara, Ref.B.B/7030-42 dated 12th July 1944:-

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Ref:- No.B.5489-41-16, L.R. dated 5-7-44.

Form 44 - Budget Estimate of charges falling under "47 - Miscellaneous - Irrecoverable - Temporary loans and advances written off - Advances to Cultivators & Rev. Advances".

	Accounts for 1936-37	Budget Estimate for 37-38	Revised Estimate for 37-38	Budget Estimate for 38-39	Explanatory remarks
	2	3	4	5	6
Advances to Cultivators - Loans under the Agriculturists Loans (Madras Amendment) Act, 1935					

Recoveries of instalments commence in April '38 no amount is likely to be written off.

S. Board Member's draft endorsed dt 16-9-37

Member 16/9/37

No 16/9/37

To

The Secretary to the Board of Revenue,
Chepauk, Madras

The St.Agnes' College authorities have no objection to the formation of the East to West road as shown in the sketch provid the two ~~xxxx~~ bits to the north of it are also given to them for the use of the watchers or for some other purposes. A copy of the statement of the Mother Superior and the Principal of the College is enclosed.

2. The sketch received with the Board's reference is herewith resubmitted.

Copy of further statement of Rev.Mother Sylvia Mother Superior St. Agnes' College, and Rev. Sister Fidelis, Principal of the College, Mendoor, recorded by the personal Assistant to the Collector on 19-7-44.

We have seen the sketch signed by the Municipal Commissioner on 16-6-1943 showing the surplus extent of the Collector's bungal compound proposed to be sold to us. We have no objection to the formation of the east to west road as shown in the sketch provided the two bits to the north of it are also given to us. We shall use them as quarters for watchers or some other purposes In other respects we confirm the statement of the Mother Superio dated 16-6-44.

Sd/M.Sylvia, A.C.
Sd/.M. Fidelis, A.C.

Taken down before. Read over ~~xxx~~ to the deponents and admitted by them to be correct.

Sd. G.Dattatreya Rao,
P.A. to the Collector.

Reference:-

Submitted to the Government with reference to their memorandum cited above.

T.Ramachandran
22.7.44
For Joint Secretary.

To the Secretary to Government, Public Works Department,
(With a sketch.)

DN.21.7.44.

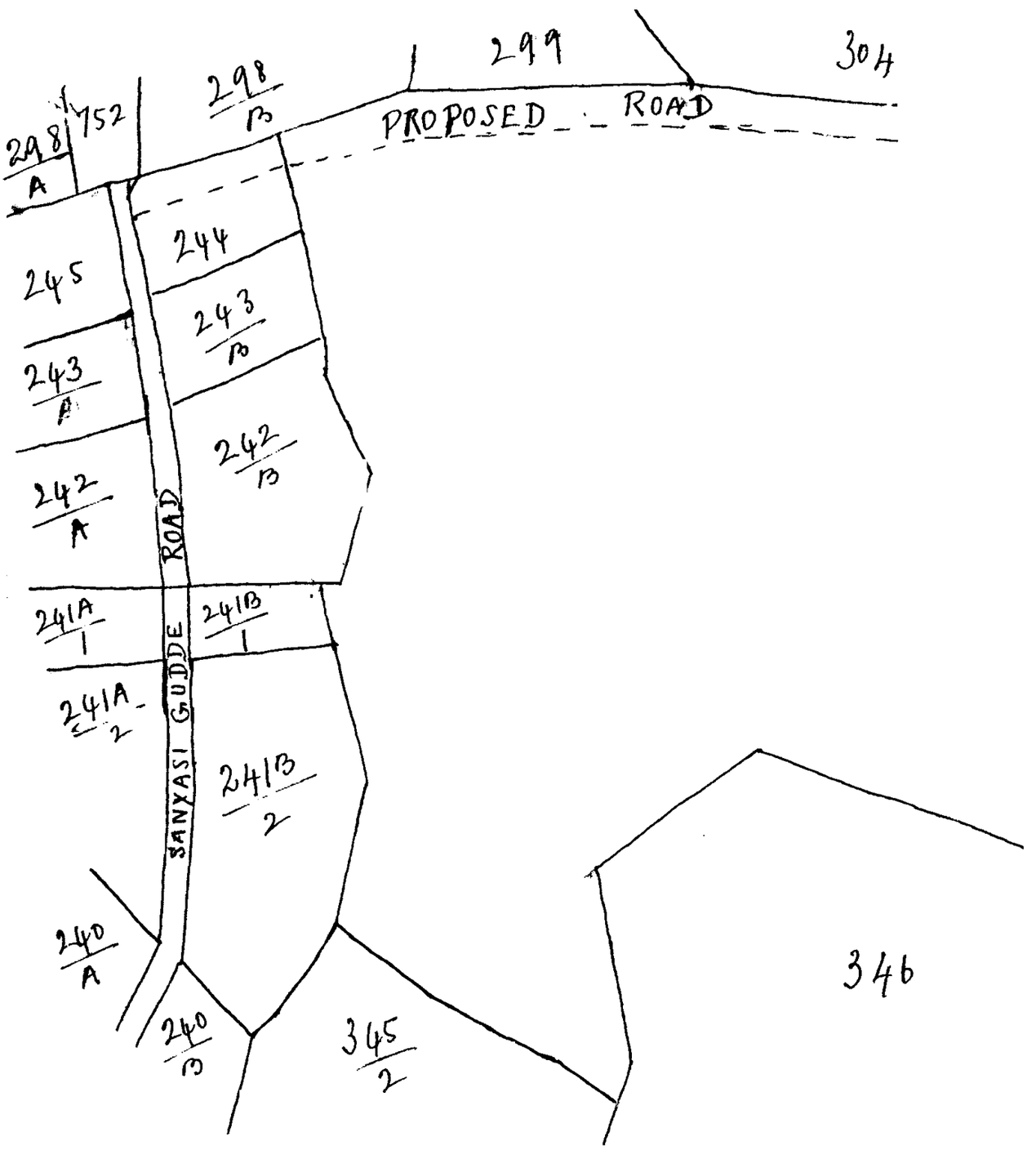
Pdl. 180/37.

Collector's Office,
Trichinopoly,
Dated 1st Feb. '37.

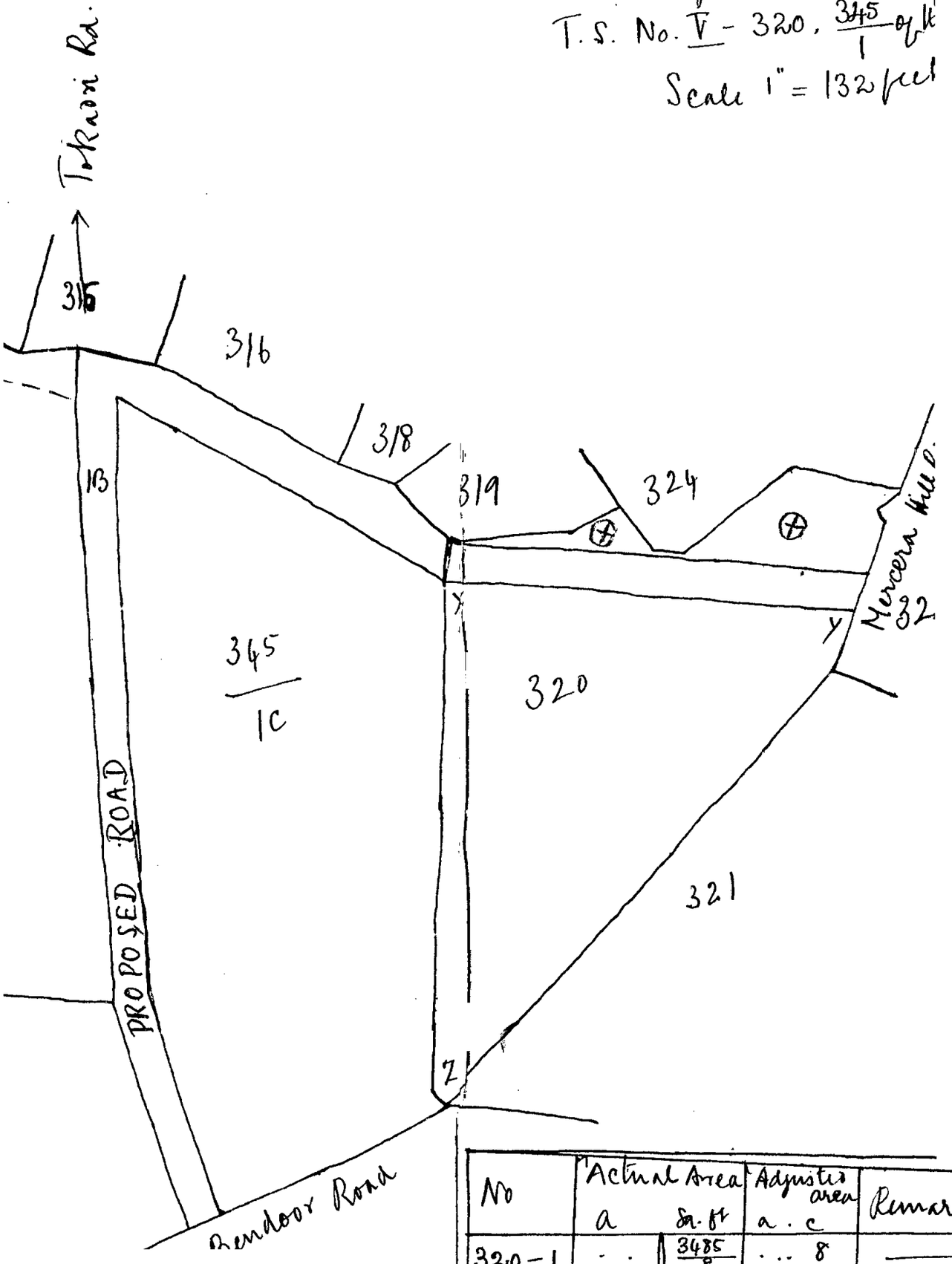
for Collector.

To

The Secretary to the Board of Revenue,


299
304
298/B
752
298/A
PROPOSED ROAD
244
245
243/B
243/A
242/B
242/A
SANYASI GUDDE ROAD
241A/1
241B/1
241A/2
241B/2
240/A
240/B
345/2
346

South Kanara Dt.
Mangalore Town.
T. S. No. V - 320, 345/1 of
Scale 1" = 132 feet



No	Actual Area a	Sq. ft	Adjusted area a . c	Remarks
320-1	. .	3485/8	. . . 8	———
2	. .	4488/34	. . . 34	———
3		17424/40	 39	Proposed Road
4	3	0 0	2 . 94	———
345-1B	1	9583/22	1 . 22	Proposed Rd.
1C	4	31799/73	4 . 73	←
			9 . 70	

3 P 294 CFL-20
C S papers 12
Postage labels 6 as
R.P 31

Board of Revenue Madras (Land Revenue)

BOARD OF REVENUE 2-FEB 1939 MADRAS

S A 1 to 2/38 (Estate Land Act)

Seetharamia Iyer to
Thiyagaraja Iyer } — Apptts.

Nagore Durg. Managing Trustee
S. Sultan Kaliya Sahib } — Respt

Copy petition filed by the Respt

I pray that one Copy for the judgment in these Cases & a Copy for the decree in each Case may be ordered to be granted to me as the same is necessary for reference. 12. Twelve Copy Stamps are herewith enclosed for the preparation of the same I pray that the Copies may be sent to me by registered post, for which I have herewith enclosed postage labels to the value of annas six.

S. Sultan Kaliya

Respt
30-1-39

From

S. ——— Kaliya Sahib
Managing Trustee.
Nagore Durga
Nagore

Remark

Proposed Re

Proposed

F. 32.

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

P 447

Received *Registered*

BOARD OF REVENUE 20 FEB 1939 MADRAS

From (Name) A.D'Crumbie, Esq., C.I.E., I.C.S.,

(Designation) Collector of Vizagapatam,

Post Box , (Station) ~~Maharanipeta~~.

Telegraphic Address

To

The Secretary to the Board of Revenue,
Madras.

R.C. *No.* ~~8229/37~~, *dated* 15 - 2 - 1939.

Sir,

Sub: BOOKS & PUBLICATIONS - Manual of Statutory Rules and orders - supply - requested.

Ref:- Board's L.Dis.No.F.493 d/27-10-38.

ENCLOSURES

SPARE COPIES

I request the Board to sanction the supply of a copy of the Manual of Statutory Rules and orders for the use of the Additional District Magistrate, Vizagapatam, as per the distributin list appended to G.O.No.212 Law (legislative) dated 8-7-1938. It is presumed that the Personal Assistant will come under the category of the ~~Hakim~~ Headquarters Deputy District Magistrate.

Item 54 at P. 5 of His 2389 (E) 10.8.32

Dnr.16.2.

FOR COLLECTOR.

Buildings. ~~Govt Residential~~ Sou[illegible]

- Mangalore Collector's Bungalow Compo

- Surplus extent - Sale to the St. Agnes C

authorities - ordered

Ref:- ~~Correspondence ending with Ref. of~~

~~the Bd of Rev. No E 5489/41-13 dt 21.4.42~~

from the Bd of Rev No E. 5489/41-13 dt 21.4.4

To the Bd. of Rev Memo No. 3107 C/41-7

From the Bd. of Rev. Ref E. 5489/41-16

—

order ms. 2325 dated 17.8.42

Sanction is accorded to the sa

the surplus extent of 9.83 acres bel

to the compound of the Collector's bu

Mangalore, to the St. Agnes College authorities for a sum of Rs. 36886/ (thirty six thousand eight hundred and eighty six rupees only) The College authorities have agreed to pay this amount and also to keep free, the extent required for the East to West Road proposed by the municipal Council, Mangalore There is no objection to the College authorities having the two bits of land to the north of the proposed East to West Road. The sale should be made subject to the payment of the appropriate ground rent or assessment.

2. The Board of Rev. is requested to take the necessary steps to effect the sale of the plot, and report the result, in due course

Court agree with the Collector that the

3. The North to South road proposed to be opened by the municipality, is not ~~approved~~ desirable. The Collector is requested to inform the Municipal Council accordin

REVENUE DEPARTMENT C3
SUBJECT

BUILDINGS-(South Kanara)-Mangalore-Collector's bungalow compound surplus extent-Sale to St. Agnes' College authorities-Report Submitted.

***

L.Dis.E.No.152-45.

Station: Madras. Dated 8.5.45.

From

R. Galletti Esq., I.C.S.,
Secretary, Board of Revenue, Madras.

S. Ranganathan Esq., O.B.E., I.C.S.,
Commissioner of Land Revenue.

***

Read:

G.O.Ms.No.2325 P.W.D. dated 17.8.44.
From the Collector of South ~~Arcot~~ Canara, Reference.B.5.7030-42 dated 25.4.45.

***

L. DIS:-

Submitted to the Government with reference to para 2 of the G.O. cited above.

N. Subramaniam
11.5.45

For Secretary.

To the Secretary to Government, Public Works Department with a copy of the order of assignment.
A.R.B.8.5.45.

****

Copy of letter from the Collector of South Canara ~~Arcot~~, Reference.B.5.7030-42 dated 25.4.45.

***

ASSIGNMENT-Land-(South Kanara District)-Mangalore Taluk-Kadri village-surplus extent in the Collector's bungalow compound-Sale to the St. Agnes' College authorities-Order of assignment.

***

Reference: Board's reference.E.No.152-45-2 dated 16.4.45.

***

Agreeably to the sanction accorded in G.O.Ms.No.2325 P.W.D. dated 17.8.44 to the sale of surplus land in the Collector's bungalow compound in favour of the St. Agnes' College authorities a net extent of 8.83 acres has been assigned in the name of the Mothor Superior, St. Agnes' College, Mangalore, leaving an extent of 79 cents for the east to west road mentioned in the above said G.O. Thus the total extent of land disposed of is 9.62 acres as against 9.83 acres, the difference being due to the adjustment of the areas of several sub-divisions in the plots T.S.Nos.320 and 345/1B= 38 cents. The adjusted area of the Collector's bungalow compound is 13.97 acres.

2. A copy of the order of assignment is enclosed.

(Sd). *****
For Collector.

***

Copy of letter from the Collector of South Kanara, dated 25.4.45.

***

ORDER OF ASSIGNMENT-BOARD'S STANDING ORDER 21.

***

ASSIGNMENT-Land-Mangalore Town-Kadri village-T.S.Nos.320/1, 320/2, 320/4 and 345/1C.

***

The Government lands in Kadri village, Mangalore Taluk described in Schedule A which were sold by private negotiation and handed-over on the 23rd day of December, 1944 are hereby assigned to the Mother Superior, St. Agnes' College, Mangalore under the provisions of the Board's standing order No.21, subject to the following conditions:-

1. That the assignment is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the assigning officer by Board's standing order No.21, or that there was an irregularity in the procedure.

2. That the annual ground rent of Rs.11-4-0 per acre or of such other sum as may be fixed at every periodical revision thereof which shall take place at every resettlement of the Taluk, shall be paid to Government on or before the 10th February of each year.

3. That in default of such payment, the ground rent may be realised under the law for the time being in force for the recovery of arrears of Revenue.

4. That the assignee shall bear, pay and discharge all existing and future municipal and other taxes, charges, assessments and outgoings payable in respect of the plots as a result of the occupation by the assignee.

5. That the land shall be used for College and hostel and other necessary purposes connected with the maintenance and administration of the College and Hostel and for no other purpose.

6. If the land is not used for the purpose mentioned in clause 5 the Government shall have the right to re-enter forthwith and take possession of the said site or sites with buildings, if any, thereon.

7. That the Government shall not be liable to repay the purchase money when they exercise the rights reserved in clauses 5 and 6 nor to pay any compensation for any buildings or other improvements then exisiting on the land.

8. That the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land are reserved and are in no way affected by the grant and that the right of Government shall be reserved ~~xx~~ to all gold and other minerals or coal and stone or rock containing, or supposed to contain gold and other minerals or coal known to exist or which may at any time hereafter be discovered on, in or under the site aforesaid or any part thereof, and the grantee , his heirs or assigns shall not be at liberty to work the said gold and other minerals or coal, except after permission or licence duly obtained from Government. Government also reserve to themselves or to persons authorised by them the powers necessary for the proper working of the minerals, such as the full and free liberty and right of ingress, egress, and regress etc., as detailed in part II of the model form of mining lease in Appendix IX, Chapter VIII of the Madras Mining Manual.

the payment or rendering of compensation to the surface owner for all damage that he may sustain by the exercise of such rig

9. The right of Government to all sandal wood existing the plot as well as those which may grow hereafter, is reserve

10. That alienation of the land, without the sanction of Government to a person other than a British subject or a subje of an Indian State shall invalidate the grant.

11. That the Government may resume and re-enter the site in the event of infringment of any of the conditions of the assignment.

12. That in the event of the cancellation of the assignm in revision or in the event of re-entry by the Government in accordance with the conditions attached to the Grant, the assi shall not be entitled to compensation for any buildings he may have constructed on or other improvements he may have made to land.

13. The existing and customary rights over the foot patl in S.No.320/1 and 2 to a width of 3 feet are reserved and in way affected by the grants.

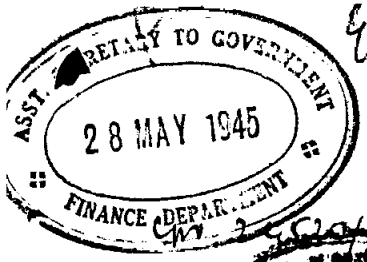
SCHEDULE A.

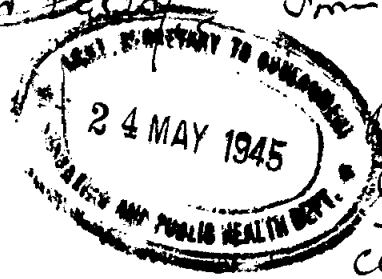
Survey No. and Sub-division No.	Extent.	Boundaries. North	East	South	West	Ground Rent.	Site value.	Challan No. and date of credit.	Name of assignee
	A.C.	T.S.	T.S.	T.S.	T.S.	Rs.			
320/1	0.09	319 324	324	320/3	345 319	1/-	Rs.36,886-0-0	Challan No.20/2-10-44 of the District Treasury, South Kanara.	The Mother Superior St. Agnes' College, Mangalore.
320/2	0.11	324	322	320/3	324	1/4/-			
320/4	3.14	320/3	322 321	321 345	345	5/5/-			
345/1C	5.49	345/1B	320	376	346 345/1A.	61/12/-			

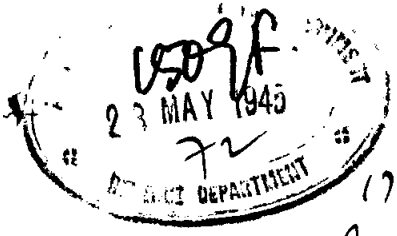
To the Assignee.
Copy to the Tahsildar, Mangalore.
Copy submitted to the Board of Revenue, Madras.

(Sd). ******
For Collector.

R.B.8.5.45.







From the Board of Revenue M.L.Dis. C.152-45 Dt 8.5.45

Buildings - Sath Kanara - Mangalore - Collector's Bungalow Compound - Surplus extent. Sale to St. Agnes' College

May be forwarded with G.O.M. 2325 O.L. Dt 17.8.1944 after perusal by Revenue Edn & P.H. & Finance.

Rev 21.5.45

Rev Section 2452C/45-1 22.5.45

Rev 22/5/45

Rev EPH Fin

Seen in Revenue

Rev Section 1509 F/45-1 23.5.45.

B → 23.5.41. E & F. H

Edn Sec 23337-1B/45 28/5/45 May be perused. The file may be sent to Fin sec

Edn (B)

B 28/5

Fin Sec

51

Fin (Appx. B).

May be perused & returned to P.W.D.

5.45.

KRN
30505 PW

Finance
4593 Sp/45.
30.8.45.

Revn.o 3728 c/41
17.10.41.

The decision of the Madras High court in this case was already seen in this dept. Vide the Press cutting at flag. The file may be passed on to Fin dept.

15.10.41

16/10/41

Finance(E-I).

The following statement shows in one view the amount of compensation to be paid by Govt. for the acquisition of 24 acres of land with a bungalow for use as residence of the Collector of South Kanara as originally estimated, as decreed by the Land Acquisiti Officer and as awarded by the Courts:-

	Rs
Original Estimate (excluding cost of repairs) Rs.7210	41,350
Amount decreed by the Land Acquisition Officer ,,	41,127
do. by the Sub-Judge 41127 + 48225	89,352
do. by the High Court 89,352 - 5,400	83,952

At the instance of this department the Board of Revenue was asked to report in September 1939 whether a portion of the extensive area of 24 acres might be sold. The Board then stated that the question might be considered after the appeal filed by the Govt. before the High Court against the decision of the Sub-Judge

was disposed of. Now that the High Court has delivered its judgment, P.W.D. may ask the Board to take up this question. If a portion of the land is not sold, ~~the Collector will be liable to~~ s will have to be paid for the whole area.

D/ 23.x.41. 23.x.41 Please see also the further Correspondence & notes on fr ~~66~~ 9-10 & 16-17 of R.O. 2361 P.W.D 30.9.41. (K) The land is reported to be valuable, & there seems to be no objection to a report being called for from the Board on the question of disposal of land surplus to requirements. The Govt. may decide in due course whether any portion should be sold or not.

23.10.41 24/10 DS S

P.W.D

Memo No 35572 E.F.1 25.x.41.

P.W.D

To A.S

Please see the Finance Department's note on pp. 3-4 ante. A draft Memo. to the Board of Rev. is put up with reference to 'A' above.

25 OCT. 1941

To

31.10.41 S

31. 10

To us

A draft D.O. letter B.D. Rev. is submitted for appr.

1.11.41

From the Board of Rev Kepee n/i No 5489/41-
T 23-3-43.

Please see the Board's reference
on pp 9-10 cf. This dept may agree with the
Board to sell the surplus extent of
9-83 acres to the St Agnes College for Rs 2d, or
The file may be sent to Rev & Finance
for remarks

21 3 43

29/3/43 S
3

P.W.D. No. 3707-C/42-2
1/4/43 - Rev.

Rev dept

2 APR 1943
F
REVENUE DEPARTMENT

(The entire file may be read).
The Board's proposal in para 2 on p 10
check as agreed to by the P.W.D. may be supported in
this dept and the file passed on to Finance (Appellate Section)
from the Principal and Medical Superior dated 29-11-42 in the D.P.I. in
matter, was sent in original to the Collr of S. Kanara for report and Govt
Their orders to be communicated in this case Collr may be informed that Fin
Dept no report need be sent to on the Endt no 1040 F/Rus-I, Rev., 9 22-3-43).
7.4.43

Finance Dept

Finance Dept

Finance Dept

to leave 13·76 acres as the compound seems rather extravagant liberal in view of the facts noted below. The Sub Judge, South Kanara, decided that an extent of about 11 acres, inclusive of the site occupied by the bungalow, should be deemed to be the property appurtenant to the bungalow as he considered this adequate for the bungalow's use. The Respondent in the suit accepted this. The High Court also accepted this basis observing that it was not at all an unreasonable method of dealing with the matter. It is not known, also, how the extent proposed by the Board in this case compares with the compound usually allowed to Collector's bungalows in the mofussil. It is therefore for orders whether the Revenue department may be requested to consider this point further in consultation with the Board of Revenue. If this is considered unnecessary the present proposal may be agreed to.

Unnecessary. Bd's proposal may be accepted DWD 19/6/44

3. As regards point (ii) referred to above it is stated that some lawyers have offered to pay Rs 4000 per acre or any reasonable price which the Court may fix. If by sale in the open market, it is possible to realise this or a higher rate, the Govt would sustain a loss of about Rs 7,000 or more by accepting the proposal to hand over the land to the College authorities for a sum of Rs 32000. The proposal may need not be rejected if it is considered that the circumstances stated in para 2 of the Board's report on p 10 of the file are sufficient to justify the loss involved. It may be ...

At a firm offer in this case. MM

JRL 15/6/44

It is not clear exactly how the market value of Rs. 32,075 for the 9·83 acres proposed to be sold privately has been arrived at. It is said to be on the basis of the High Court's decision in the L.A. case. Under that decision part of the vacant land was valued at Rs. 4,000 an acre & part at Rs. 2,500 an acre. It is not clear whether the Coll^r has localised the portions or whether he has taken an average of the total compensation allowed by the Civil Courts for the area treated by them as vacant land not appertaining to the bungalow. It is also not clear whether the Coll^r has included the extra 15% paid by the Govt for compulsory acqu^n; presumably he has not as the Govt says his valuation is based on the market value fixed by the High Court. Fin. would suggest that the 15% should certainly be included, as there is no reason why the Govt should sell for less than they paid on acquisition.

I do not think, however, that the Govt should necessarily sell at the same rate as they paid on acqu^n. The acqu^n was, it seems, in 1935. In view of the recent rise in land values, the land is probably worth a good deal more now than it was then. The St. Agnes School bought some other land near by, which was not on the road, in 1928 for Rs. 4,000 an acre. The plan at (C) shows that the land now in question adjoins the road & is therefore more valuable. I would suggest that the St. Agnes School be allowed to purchase this 9·83 acres in a private sale if it is willing to pay Rs. 4,000 an acre. Al may see.

DWD
10.4.43

PW

please see Board's reference on the Finance Secretary's note on the previous page. The C.M. recommends the sale on payment of Rs 32,000/-. The Cost of the land at Rs Rs 4,000/- per acre comes to Rs 39,320/-. For orders

No
9/4/43

No objection to sale of 5 acres at Rs 4000/- per acre

A-2
A-1

For the Rs 4000/- an acre then is only an unsigned petition from some lawyers - A on page 10 c.f. Ch Agnes Corner is said to be an influential and popular institution which needs extension and the price offered by it viz Rs 32,000 seems reasonable. As said by the Board it is desirable to sell the land to some owner for a good purpose instead of cutting it up into small plots

23.5.43
9.6.43
13.7.43

Ch 21.4.43

cer. 21-4-43
R. 27.4.43

A 2 The High Court retains ... ~~about~~ 11 acres for the bungalow & the rest were valued at-

A1

2.59 acres	Nil	
5 acres	4000 an acre	
5 acres	25-00 "	
12.59.		

(Vide A1 - P 24 of 1943 (B))

23.5.43
11.00
1.5.43
12
11.5.43

A

The Board allows a large area for the bungalow & purposes & asks the rest - amounting to 9.63 acres but Do not know how this fits with the High Court 12.59 but the

maximum valuation acc to high court figure
is 5 acres at 4000 + 4·63 at 2500
B that is 24,125/- + 15% = 33,444/-

It is not clear whether the BD has included the 15%.

(2) The BD has not, apparently, enquired whether the land is required for any other purpose or disposed of. but have assumed that as it is not wanted for the Collrs bungalow it shd be sold. I do not know whether there is any proposal for wh this could be useful & whether other depts shd be asked. The land is probably going up in value & there is no need to dispose of it in haste.

(3) If it is finally decided to sell it, it shd be advertised for sale & not be sold at a sacrifice to the first chance applicant.

HB
23.4.43

Papers with A2

B
27.4.43

To H.S.

Please see the orders in circulation on pp 6-7 above.

A on p 6 ante:- The Board may be asked to state as it has proposed a larger area for the Collr's bungalow.

B above:- The valuation of the 19·85 acres proposed to be disposed of is according to the High Court figure i.e.

5 acres at Rs 4,000/- per acre Rs 20,000/-

4·83 acres at Rs 2,500/- per acre - Rs 12075/-

Total Rs 32,075/-

The Colly has not included the 15% solatium. If this is included, the total cost will come to Rs 36,886/-. In view of A2's orders in paras 2 & 3 of his minutes on p 7 ante, no action at present on the above seems called for. Para 2 in A2's minutes on p 7 ante — The Board may be asked to ascertain from the Colly whether any other dept of Govt requires the land. A draft D.O. is submitted for approval. It may be sent to Revenue for perusal before issue. Para 3 in A2's minutes on p 7 ante. Action will be taken on receipt of Board's reply.

4-5-43 5/5/43

5/5/43 S 5/5/43

To U.S. Rev last name in p 3 above. The subsequent Rev dept. notes may be read. The file has apparently been sent to this dept with reference to M above. The draft memo below may be perused & the file returned to P.W.

12.5.43 13/5/43 PW

13/5/43

[Issued memo. no. 3707 C/41-3 of 14.5.43]

Submitted for perusal with reference to A1's query on page 15 c.f. The Board's reply is still awaited. The file may be circulated

Rev. 10/5/43 Rev dept. memo no 3707 C/41-3 dt 10-5-43

ASSISTANT TO GOVERNMENT 10 MAY 1943 GOVT. DEPT. 2906 13752

11/5/43

13/5/43

UNDER SECRETARY 13/5/43

14 MAY 1943 2587 PUBLIC WORKS DEPARTMENT

From the D: of Public Instruction D/ 26-2-44.

I've told Statham I am handing this to you

D M S
2:2:44

What is being done about this

With refce to A's minute above, the file on the subject is submitted. Refce is solicited to the minute recorded on 23-4-43 by A1 when he was A:
The Board's reply on the points raised is awaited
To the last reminder the Bd of Rev replied on 24-1-
that the Commr of Land Rev had proposed to
inspect the locality & that its report would be
submitted after this local inspection. A draft DO
~~The Bd of Rev~~ the Commr of Land Rev is submitted.
~~with the request to expedite the report.~~

The reference was made to the Bd on 14-5-43. No reply has been received in spite of 6 reminders

A2 + A1 may see the file after issue of the D.

6.3.44

6.3.44

6.3.44

Cfr. 7-3-44
R. 9.3.44

Here too there is a great delay
on the Board.

A40
A1.

8/3/44

Draw B/D's attention to the great delay &
enquire why they have taken so much longer than
are going to take about it.

8/3/44

Await reply to my D.O. If no reply is received by the 16th the Bd should be asked for it.
A1. 9/3

DO to Commr Bd of Rev 3707-C-44 dt 6-3-44

From — do — dt 18-3-44:

Please see the DO at pages 23-24 cf.

~~It appears~~ The site has not yet been inspected by the Land Revenue Commissioner. The points on which the Board was asked to submit a report are

(1) whether the land is reqd for any other purpose or by any dept of Govt. ~~in consultation with the Collector of Sabarmati~~ and

(2) whether in view of the increasing trend of land value there is need to dispose it of in haste; if it is decided to sell the land it should be advertised for sale & not sold at a sacrifice to the first applicant.

(3) Whether 15% solatium should not be added to the cost of the land if it is decided to sell it to a private party

(4) Why the Board has allowed 13·76 acres for Collectors bungalow instead of 11 acres allowed by the High Court

It is for consideration whether the Bd of Rev may be asked to submit its reply to these points without inspection of the site.

The DPI may also be informed of the present position

Submitted 17/3/44

17·3 Mks

Permit ~~not~~ the Collector to ~~the~~ use a ~~way~~ through the land as a right of way.

18.3.44

~~A draft DO to the DPI and A memo~~
~~A draft memo~~ is submitted for ~~approval.~~

~~A and A may see the file after issue of these drafts.~~

20/3/44 A draft memo to the Bd of Rev is submitted

20/3/44 S

Please see Mr. Stewart's reply at pages 23-24 c.f. Demy S.O at page 21 c.f. There has already been a delay of nearly 10 months with the Board and if the matter is left to Mr Stewart's successor there will be further delay. Please see A/s minute at page 9 ante. I suggest that Mr Stewart may be asked to reconsider his report particularly as the Board's S.O below is the approved

22.3.44
22.3.44

21.3.44

A4

M. 20 cf is generally in Mr Stewart's recommendations except the proposal to lease

Please see minute to suggest

Submitted.

The Collector at first proposed the disposal of the surplus extent in the Compound by parcelling it into convenient blocks of 30 or 40 cents each & selling them in auction for house sites. Later he reported that the land may be given to St. Agnes College, Bangalore on payment of a reasonable value. The valuation was fixed at Rs 32000/- for 9.83 acres of land. The proposals were not approved by Govt and a reference was made to the Bd of Rev in memo dt 14-5-43. With reference to A1

on p 23 cf it is submitted that no other proposals were received by Govt. It seems Mr Stewart is refers to the proposal at 'A' on the previous page only.

The valuation of the 9.83 acres proposed to be disposed of, is according to the High court figure is as follows

5 acres @ Rs 4000/- per acre	Rs 20,000/-	
4.83 acres @ Rs 2500/- "	Rs 12075	
	32075	

The solatium of 15% is not included in the amount of this is included the total cost will come to Rs 36886

Rs 25000

M. on page 23. C.f. — Please see the Board's reference at page 8-N.C.f. The request of the Mayor is to sell the surplus extent of 9.83 acres by private sale. This proposal has been examined in this file and on A/c minute on page 6-N.C. and a reference was made to the Board on M.J: No. Since then no other proposal has been received from the Mayor.

15/27. Sinha

Cir 27/3/44
R. 27.3.44

Ans. The D.O. letter may issue

SPR
27/3/44

Cir. 28.3.44
R. 31.3.44

A1. Ramaswamy

[illegible]

[Issued as D.O. 3707 C/41-5 dated 31.3.44.] [illegible]

from the Bd. of Rev Ref No. E 5489/44-13 dt 21.4.44]

→ to 27-35 cf

This file relates to the disposal of surplus land in the Compound of the Collector's bungalow Mangalore. With reference to the minutes of A, (on pages 6-7 ante) the Board of Rev. was asked to report on the following points :-

Point (i) why an extent of 13.76 acres has been allowed for the Collector's bungalow when the High Court set aside only an extent of 11 acres. It is stated that this is a consequence of the High Court adopting the arbitrary suggestion of ~~the~~ the Lower Court. The Board supports the Collector's proposal that an extent of 13.76 acres may be allowed for the Collector's Compound so as to include the badminton and tennis courts inside it. The proposal may perhaps be accepted.

Point (ii). whether the land is required for any other purpose or by any dept. of Govt.

The Board Considers that the Compound is not suitable for the construction of residences of Govt. officers, and that there has been no demand for the land from any Dept. of Govt.

Point (iii). why 15% solatium should not be added to the cost of the land, and recovered if it is decided to sell the land to a private party. After referring to certain alternative methods, the Board states that it

should be desirable, to recover the whole cost of acquiring the land including the 15% solatium paid, but that this cannot be the sole guide, as the price which can be obtained and the use to which the land can be put must be taken into account. The ~~for~~ Board thinks that the proper way is to value it at the present prices and under ~~proper~~ present conditions according to the instructions contained in the Land Acquisition Manual - Vide C on page 29 c.f. Point (iv). ~~For the reasons~~ If it is decided to sell the land, it should be advertised for sale, and not sold at a sacrifice to the first applicant. For the reasons stated at D on page 29 c.f. the Board is of opinion that public auction is not desirable, and that extension of the convent property is also very desirable in that it plays a large part in providing educational facilities for girls.

C on p 29 c.f

D on p 29 c.f

2. All the circumstances would seem to be in favour of the disposal of the surplus land to the St. Agnes College, Mangalore. If this is conceded, it is for consideration whether the price may be fixed at Rs 36886/- × on p 12 ante

3. In para 1 of its reference, the Board refers to a petition for reservation of a right of way through a portion of the land | p 27 c.f

in question. The Board considers that the public may be allowed a 10 ft. pathway on the northern part of the compound running from east to west This may perhaps be included in the conditions of sale. If this is also decided, the D.P.I. may perhaps be asked to address the St. Agnes College authorities to ascertain whether they are willing to purchase the plot in question under these conditions for Rs 36,88

Rev., E & P.H. and Fin. may see the case for remarks before circulation

CBS 11/5/44 MSD 11/5/44

M.S. 11/5

The case may be placed before the Council for Rs 36,888 Purchase of the land in question as per

8.5.44

Rev
E & P.H.
Fin

20 M.S.

Revenue has seen on p. 8 ante The summarised proposal may be agreed to.
Rev. Dept.

Rev. Dept. may be pursued. The proposal of P.W.D. Secy. above may be accepted in the Dept. and the file passed on to E&P.H. Dept.

E&P.H. 8/5/44 8-5-44 11/5/44 E of P.H.

23082

12 MAY 1944

EaP4(B)

Please see the D.P.I 15 of
the P.W.D. Secretary's proposal on p.15 on
this Deptt. may accept this proposal
file may be passed on to Fin

BM
13/5/44

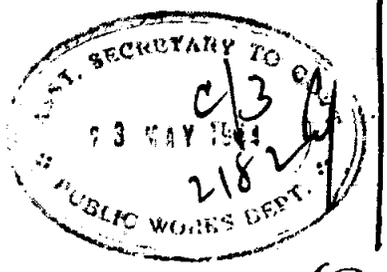
1
95
TP
3.5.44

There is no Town Planning Scheme sanctioned by Government or before the Government; the scheme referred to by the Board is apparently still at the stage of consideration by the Municipal Council itself. Although the East to West Road may not be justifiable, and a foot-path may do instead, so far as the house owners who are contending for a right of way are concerned, it is desirable, particularly since the Board has suggested the elimination of the north to south road, that there should be a road under the Town Planning Scheme which is being considered, which would conneet the Bendoor Road and the Kadre Road; and that for this purpose the proposal of the Collector to have an East to West Road, may, in so far as it provides a link-up as an alternative to the north to south road which is proposed to be eliminated, should be approved. This road would replace the foot-path proposed by the Board up to the place where the proposed road from Kadre Hill comes down; beyond that a foot-path will suffice for the house owners in question. It may be made a condition that the extent required for the road suggested above should be kept free. With this modification I agree to the proposal of the Secretary,

the Boards letter cnfp
be read.

The proposal of the P. W D Secy on page 15 above maybe accepted subject to the modification reffered by Contl H secy on p 16 above. As should be as it is proposed to depart from the decision in para : 3 on p. 7 above.

19/5/44



C/3
21824

ie WO No 21903 (EB)

23.5.44

KRV 20.5.44

S

C/24.5.44 P.W.

P. W. Dept

Attention is invited to the summarised note at pp. 13-15 ante and the remarks of E. and P. H. Secy. at p. 16 above. The case may be circulated for orders. It is for consideration if 'M' on the previous page will be agreed to. The road will be 40' wide but it is stated that it would cut off only a very small portion from the block to be sold; no reduction of the cost (Rs 36,886) on this account need therefore be considered.

The case may be circulated for orders.

US 5/5/44

P.W.D

Pl. see the orders in circulation above. (It is ~~perhaps~~ more desirable to address the Bd. of Rev[enue] than the D.I. as previously suggested) Draft memo. to the Bd. is submitted for approval

C.E.S. (W&S) 2/6/44 — 2.6.44

[Issued Memo. No. 3107C/41-7 dt 3.6.44]

From the Bd of Rev Ref. E. 5489/41-46 dt 19.7.44]

Submitted. The College authorities agree to the conditions mentioned in para 2 of memo. no. 3107C/41-7 dt 3.6.44. In particular they have no objection to the formation of the East to West road shown in the sketch provided the two bits of land to the north of the road marked (X) in the sketch are given to them. This may be agreed to.

As regards the North to South road, the present Collector also agrees with his predecessor, that it should not be formed when the town planning scheme matures. This view may be accepted & the Collector requested to inform the Municipal Council accordingly.

A draft order is submitted. E & P.H.

may see before issue

3-8-44 8/8/44 5.8.44 S

Rev may also see. Rev Secy asked me about this

5/8/44 5/8/44 Rev

E & PHCA

P.W.D. No. 3107C/41.
5/8/44.

[Previous note of this Deptt on 16 ante]

The draft may be perused and the file passed on to Revenue.

8.8.44 Dis. 8/8 S

9/8/44 5/8/44 Rev.

Rev. Deptt

To R.S.

[Revenue last saw on p. 15 ante]. Subsequent note from p. 16 ante may be perused.

2. Whenever Govt buildings are sold with their site by public auction it should be stipulated in the sale notice as one of the conditions of sale that the site will be sold subject to the payment of the appropriate ground-rent or assessment which will be liable to periodical revision — Govt. see para 6 of B.S.O. No. 22. In this case it is proposed to sell an extent of 9.83 ac in the compound of the Collector's bungalow at Mangalore to St Agnes' College for Rs. 36886/-. The College authorities will have to pay ground-rent or assessment to Govt after the sale. For orders if the Board of Revenue may be instructed to see that the sale is made subject to the payment of the appropriate ground-rent or assessment. If so, P.W.D. may be requested to add a para to the draft order to this effect with these

remarks the file may be returned to the P. W. D.

P.W.

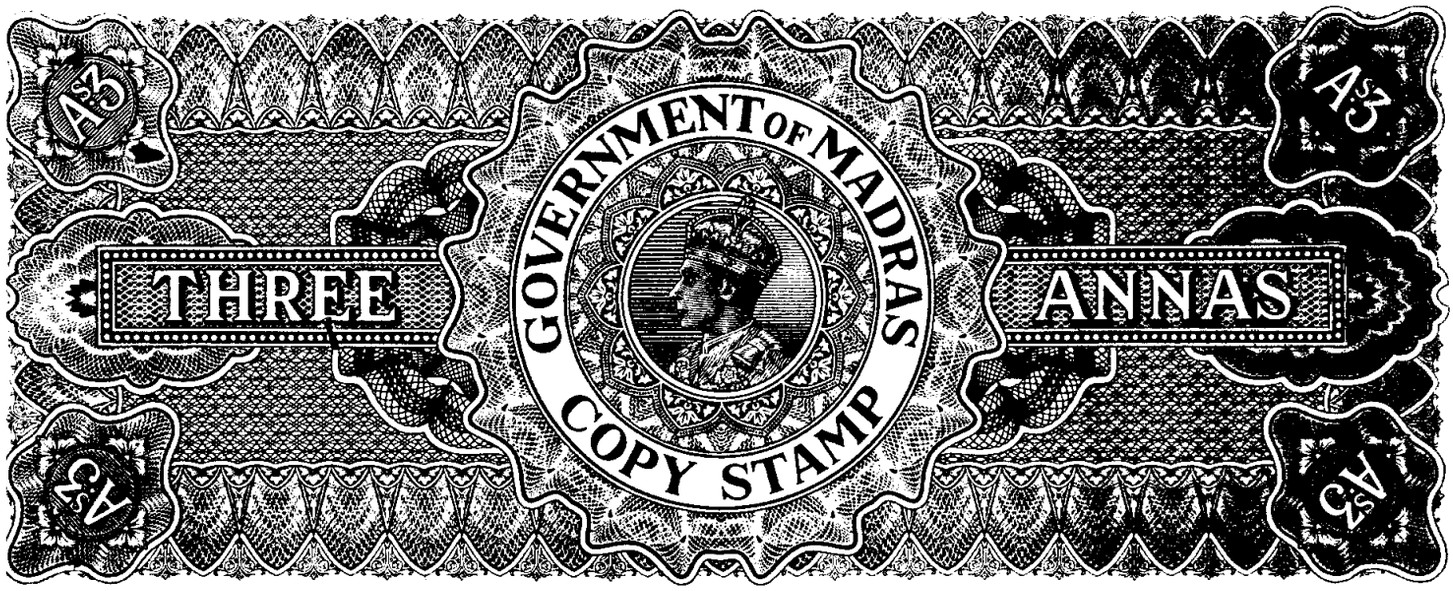
P.W.

Revd 27 Aug 44

P.W.D. SECRETARIAT GOVERNMENT OF INDIA
C/3
14 AUG 1944
3420
PUBLIC WORKS DEPT.

Pl. see the notes of Rev. dept. above.

With ref. to A at p. 19 ante, a ~~line~~ sentence has been added to the draft at the end of para 1.



In the High Court of Judicature at Madras.

Wednesday the twenty fourth day of September

One thousand nine hundred and forty one.

Present:- The Honourable Mr. Justice Mockett

and

The Honourable Mr. Justice Kunhi Raman.

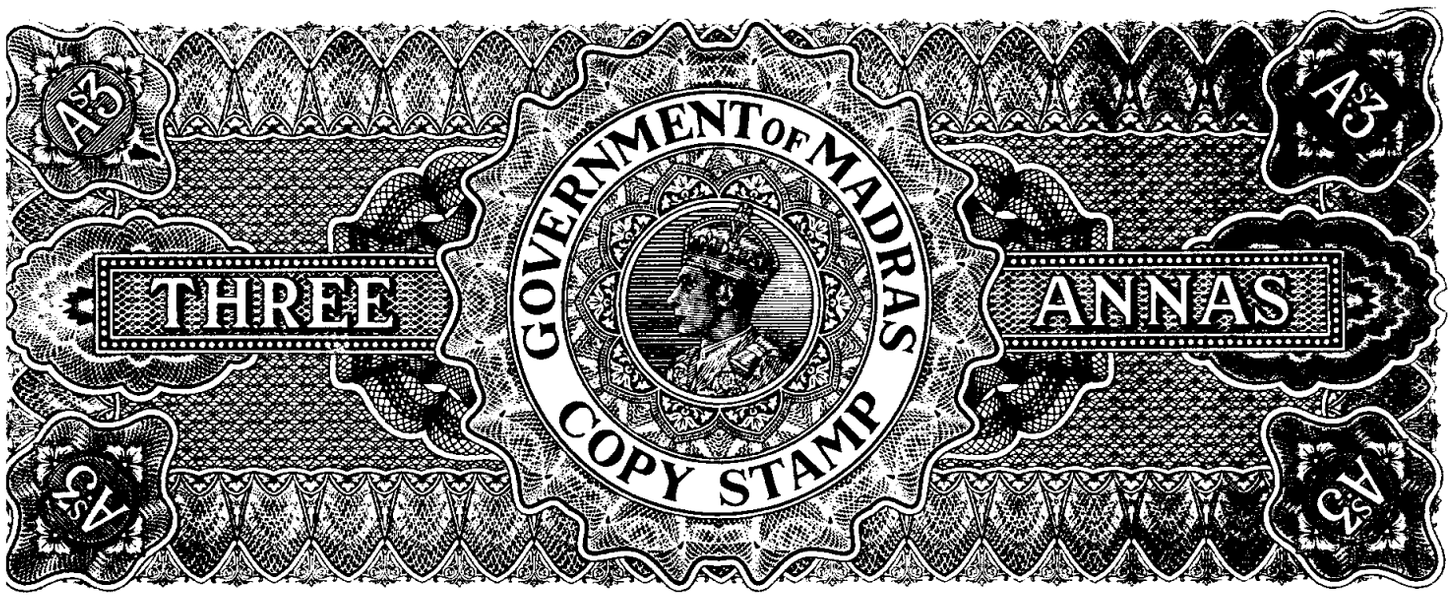
Appeal No.280 of 1936.

The Revenue Divisional Officer, Mangalore -- Appellant (Petitioner),.

1. Rao Saheb J.J.Fernandez (dead), 2. Julia Mary Margaret Fernandez (Lunatic), by guardian and husband B.S.Fernandez, 3. Hilda Brito, 4. Loo Brito minor by guardian the 3rd respondent, 5. Letitia Brito, 6. B.D.Naidu, 7. L.P.Fernandez, executor of the Will of the deceased 1st respondent added as 7th respondent herein Vide Order d/ 3-12-1940 in O.S.P.No.6026 of 1940 -- Respondents (Claimants and Nil,

Appeal against the Decree of the Court of the Subordinate Judge of South Kanara in L.A.C.No.15 of 1936.

This Appeal and the Memorandum of Objections coming on for hearing on Tuesday, Thursday, Friday, Monday, and Tuesday, the 9th, 10th, 19th 22nd and ----

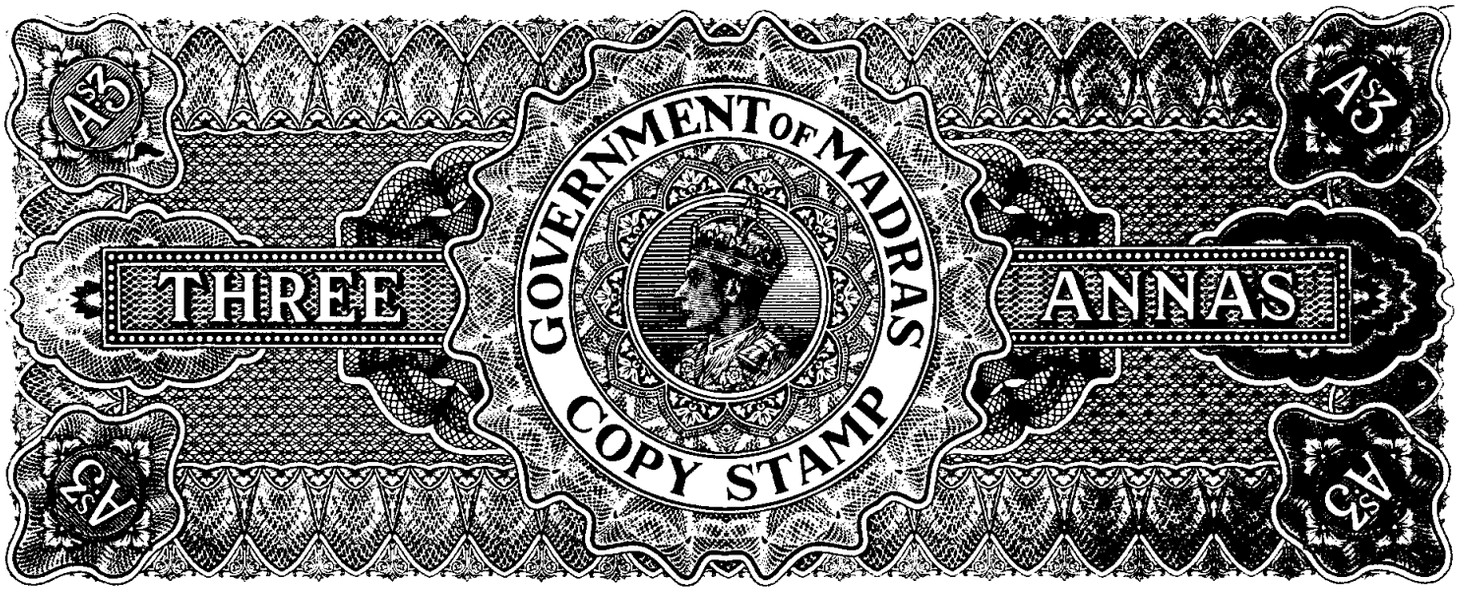


23rd days of September 1941 respectively and this day, the Court delivered the following J U D G M E N T:-

Beckett J.

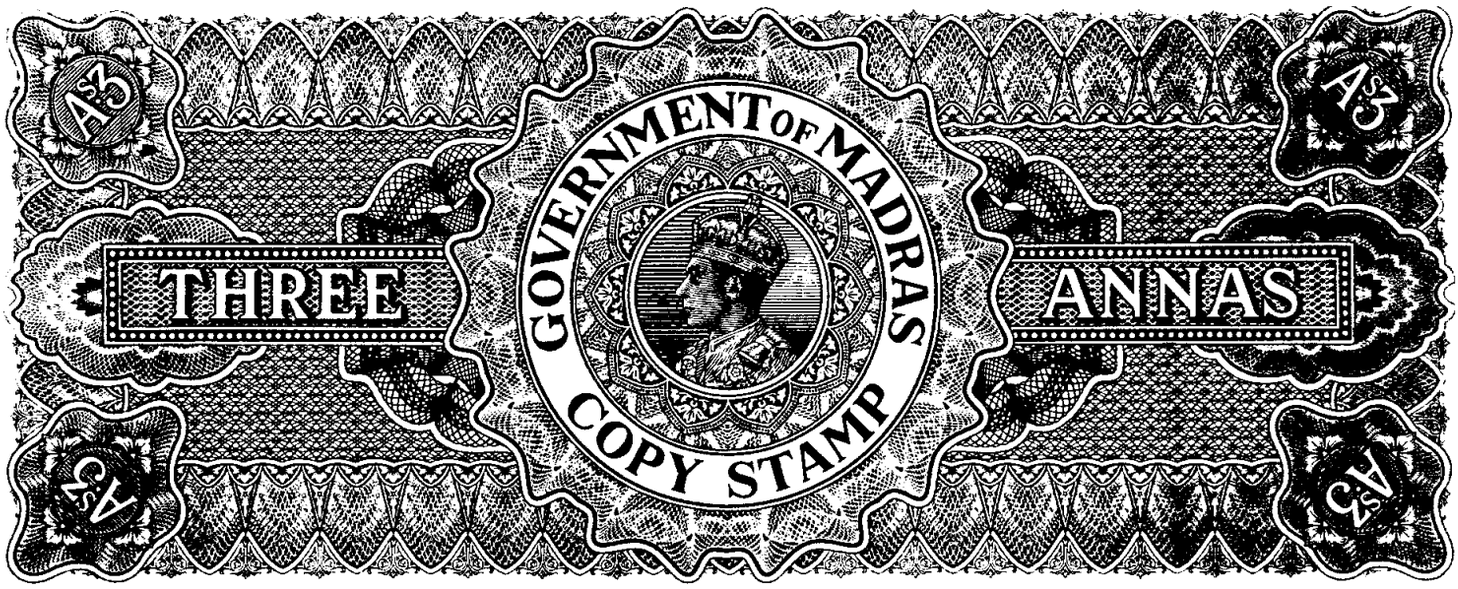
This is an appeal from the order of the learned Subordinate Judge at Mangalore in a reference under the Land Acquisition Act. The property, which is the subject of this enquiry, was the house and surrounding grounds which have been described as being the "Collector's Bungalow" at Mangalore. The extent of the bungalow and the compound is 23 acres and 59 cents. It has an interesting history. In 1821 the East India Company made a grant to Mr. Sheffield, who was then the Civil Judge of Mangalore, for 99 years of about 30 acres. The 30 acres is shown in the plan before us marked Ex. XXVIII. Survey Nos. 345/1, 299, 346 and 345/2 were in the ~~regi~~ original grant. There was a condition that a brick building should be built and there was a restraint on alienation to foreigners. At some time before 1861 because we know they were in existence at that time -- two bungalows were built. In that year ----

CR

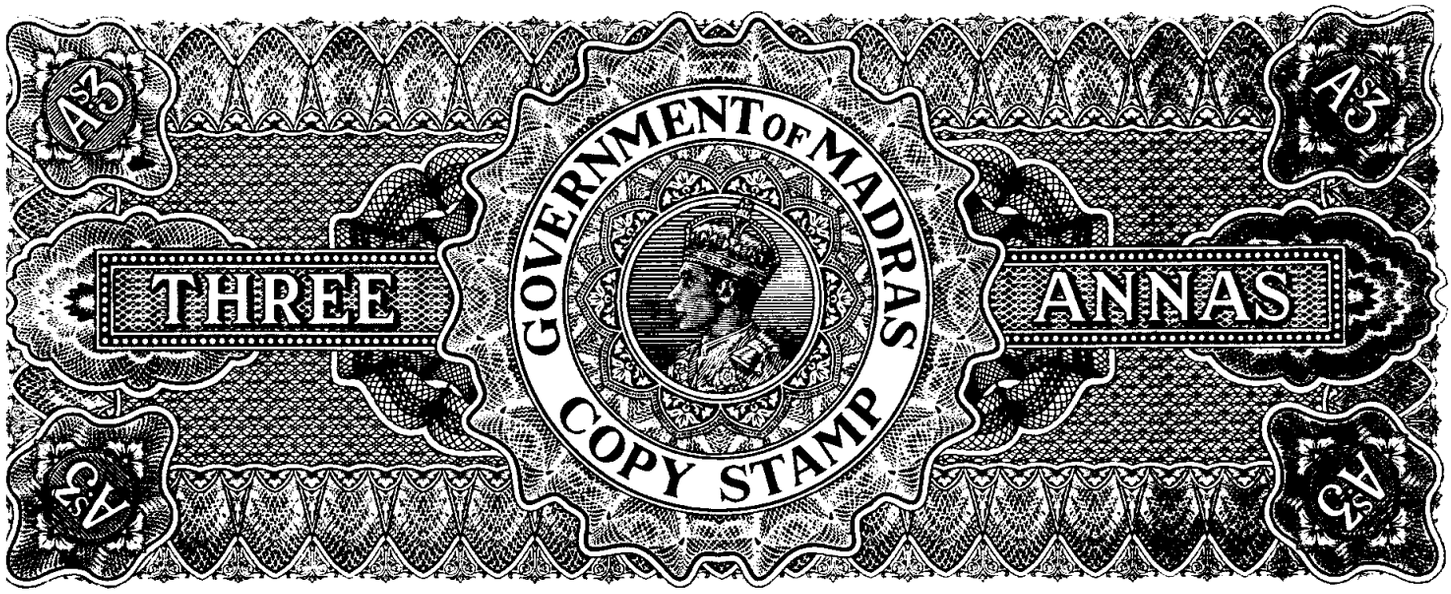


Mr. Anderson sold this property with the two bungalows to Saldanha fo
R 10000. It is said that Saldanha was a benamidar for one ~~Coelho~~
Coelho. By Ex. B on the 2nd of February 1869 Saldanha sold to Mr.
Coelho and Mrs. Coelho took from her husband by a Will. In 1891 Mrs
Coelho wrote a letter to the Collector which has been much discussed in
this case. It is marked Ex.H. In that letter she complains of the
high assessment and says, "The ground is a hilly waste, at a distance
from the center of the town which seems to have been given to the firs
occupier on the present ~~ex~~ terms for raising buildings for European
gentlemen according to European style. So the present buildings
are chiefly intended for European gentlemen. The chief or rather th
only source of income is the rent of the two bungalows." She says
that every large sums had been spent on the bungalows, that water lay
at a distance and that as they were intended for European gentlemen -

who generally like to have large compounds unoccupied and on which accounts rents are paid and will be continued to be paid, the compound cannot be used for raising other buildings. She expresses a fear that, if other houses were built in the vicinity, the present bungalows would not be occupied and there would be great loss. She complains that the property scarcely brings in 4 per cent. The letter continues "From the nature of the soil and the difficulty of getting water, it would be impossible to turn the hill to cultivation by abandoning the present buildings and no appreciable income could at any time be got from the improvement or cultivation of the land". It is clear from this letter that Mrs. Coelho had in her mind the possibility that buildings could be erected in the vicinity of the bungalow but that, if buildings were erected, it would damage the letting prospects of the Collector's bungalow. She had also had in her mind that the nature of the soil and the difficulty of water make ----



the premises unsuitable for agriculture. She concludes by asking for a permanent tenure to be given to her. It is not necessary to g into the history of this property much beyond what we have already done because we are dealing with today or rather with 1935 when these proceedings took place. In 1906 it is agreed by both the learned Counsel before us ~~and~~ that Mrs. Coleho received a permanent lease from the Government on a quit rent of Rs 2-4-0 per acre. The property passed to Mrs. Coelho's two daughters - Brito and Fernandez. There was an apportionment of the shares of those concerned which is dealt with in a judgment which is before us. Later, Mrs. Brito's life interest was sold to a Nayudu and then her reversionary interest was sold. S.Nos. 315/2, 316 and 299 were sold by Mrs. Brito to Mrs. Caldanha and to one Prabhu. The property became further split up. Mrs. Caldanha sold certain portions to one Nowroji by Ex.IV. The other portions were sold under ---



V and Q. The result was that in 1935, when the land acquisition proceedings were proceeding, there was a large number of persons having various interests in these properties, and, as usually happens, they were at loggerheads. The only materiality of this is that, as Mr. Muthukrishna Ayyar has pressed upon us, it is very difficult for any sales of this property to be made by reason of the fact that it would be extremely difficult for any conveyancer to draft a satisfactory covenant for title. The Courts were much occupied with the disputes of the parties and the fact remains that no part of this property was sold after 1929.

With regard to the rent, -- for X what the rent was paid will be left out of account for the ~~amount~~ moment -- there is evidence that in 1891 it was Rs 125, in 1925 it was Rs 150, and in 1934 a Rs 160, that is, an increase of Rs 10 a month after electric installation has been put in the bungalow. These ----

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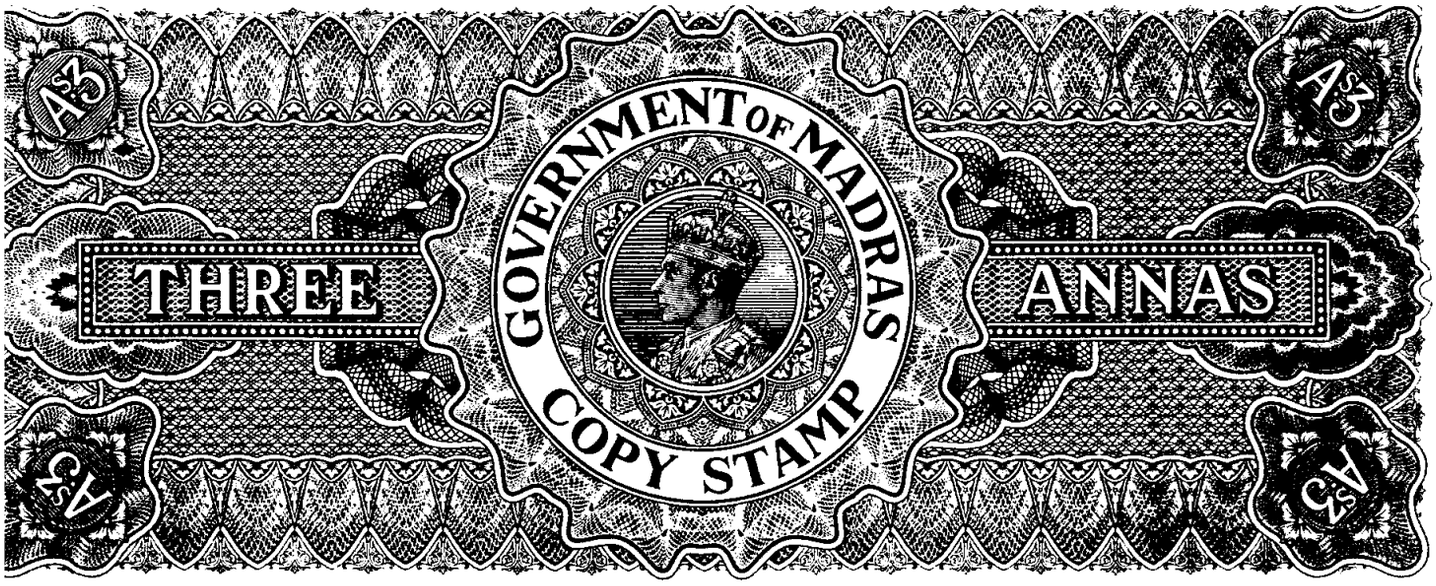
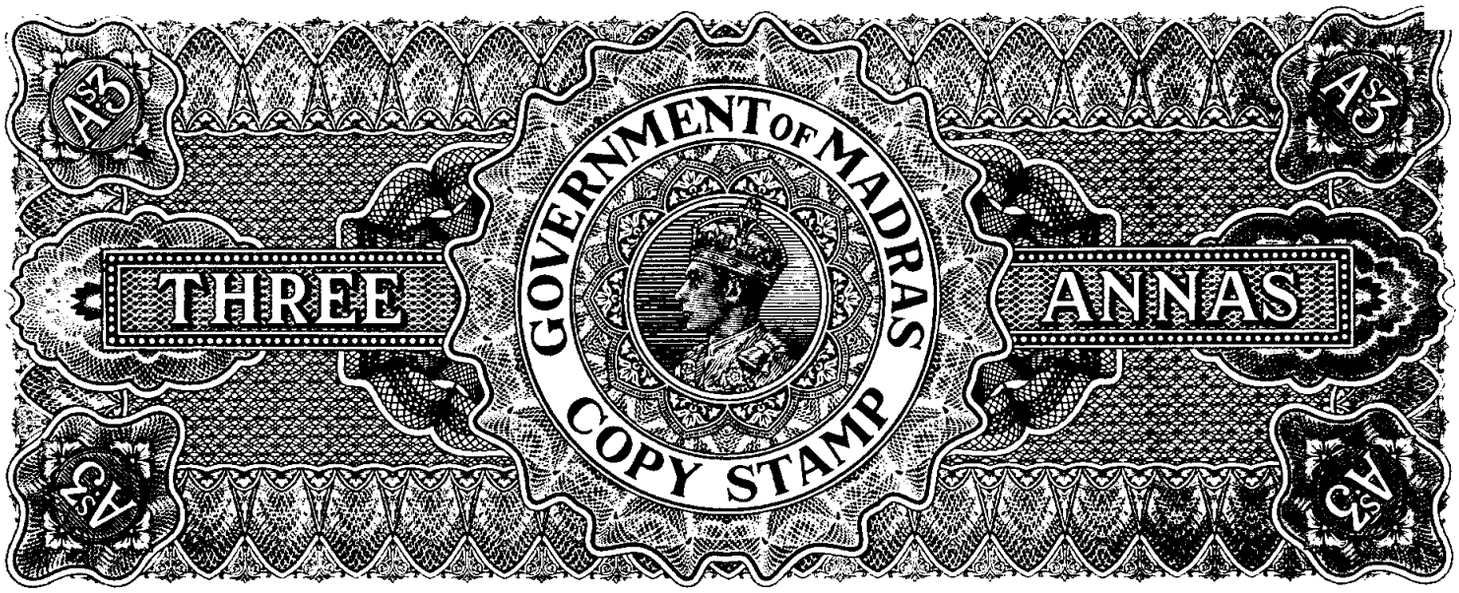
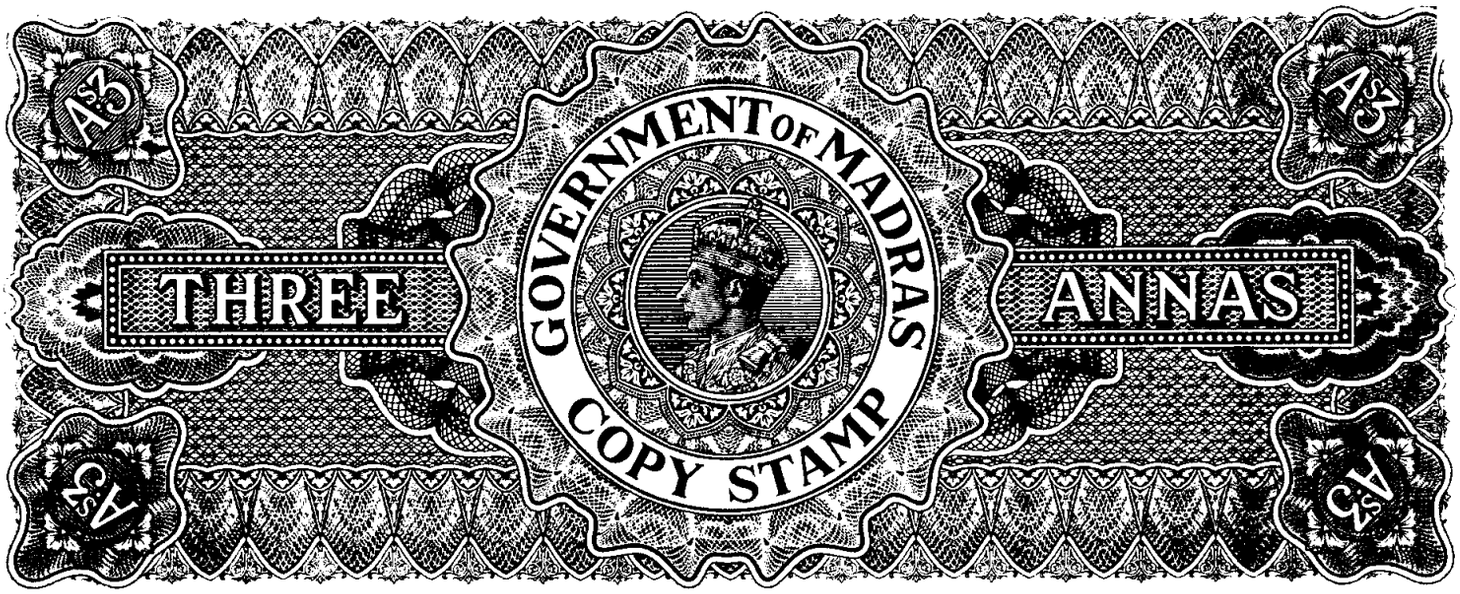


rents were paid by European Collectors. There is also evidence however that there were occasions when members of the Provincial Civil Service rented this bungalow and paid a rent of Rs 100. This is not because so startling perhaps as it might appear elsewhere/it is notorious that rents are very often apportioned according to the income of the tenants. The fact does however remain in evidence that these gentlemen of the Provincial Civil Service paid Rs 100. It is also in evidence that there were occasions when certain members of the Indian Civil Service who were Collectors, Mr.Thomas, Mr. Souter, would not occupy the bungalow at all, the reasons we do not of course know, and on those occasions the bungalow was unoccupied. There is some evidence that ø for a short time Dr.Swaminathan, a distinguished Advocate of this High Court, occupied it as a ~~tant~~ tenant for a fortnight.

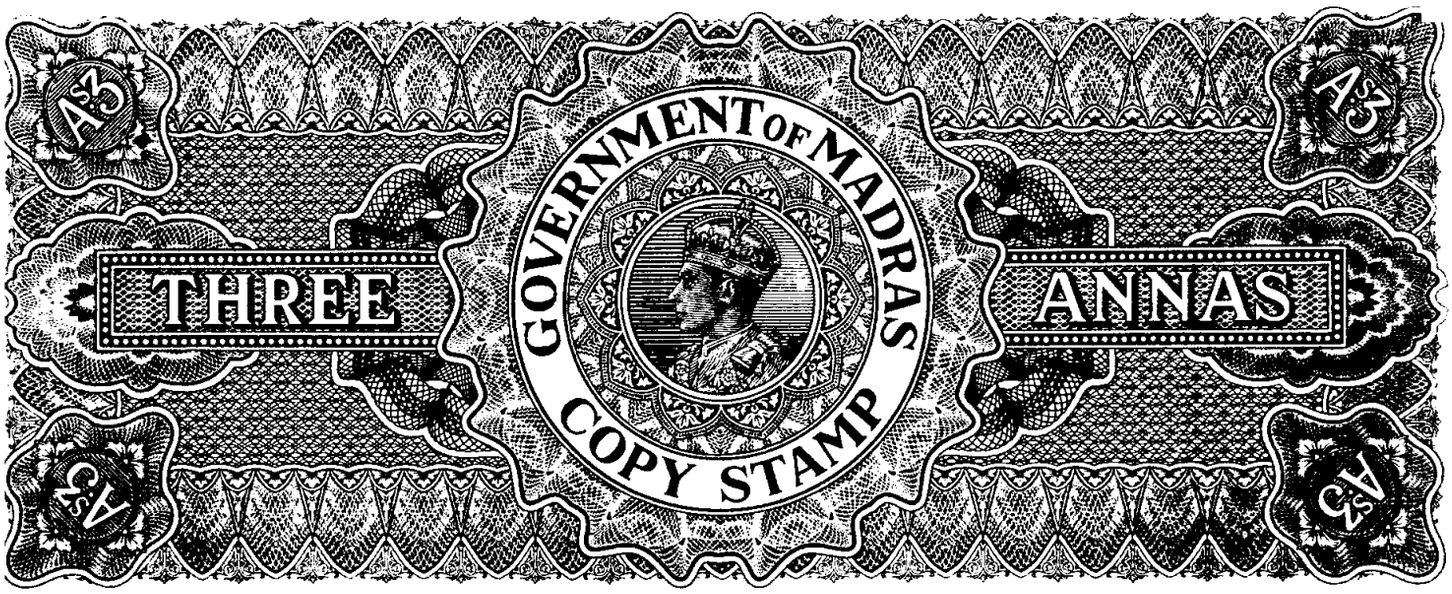
The most remarkable feature about this case and which cannot be too strongly emphasized at once is that it has never been established ----



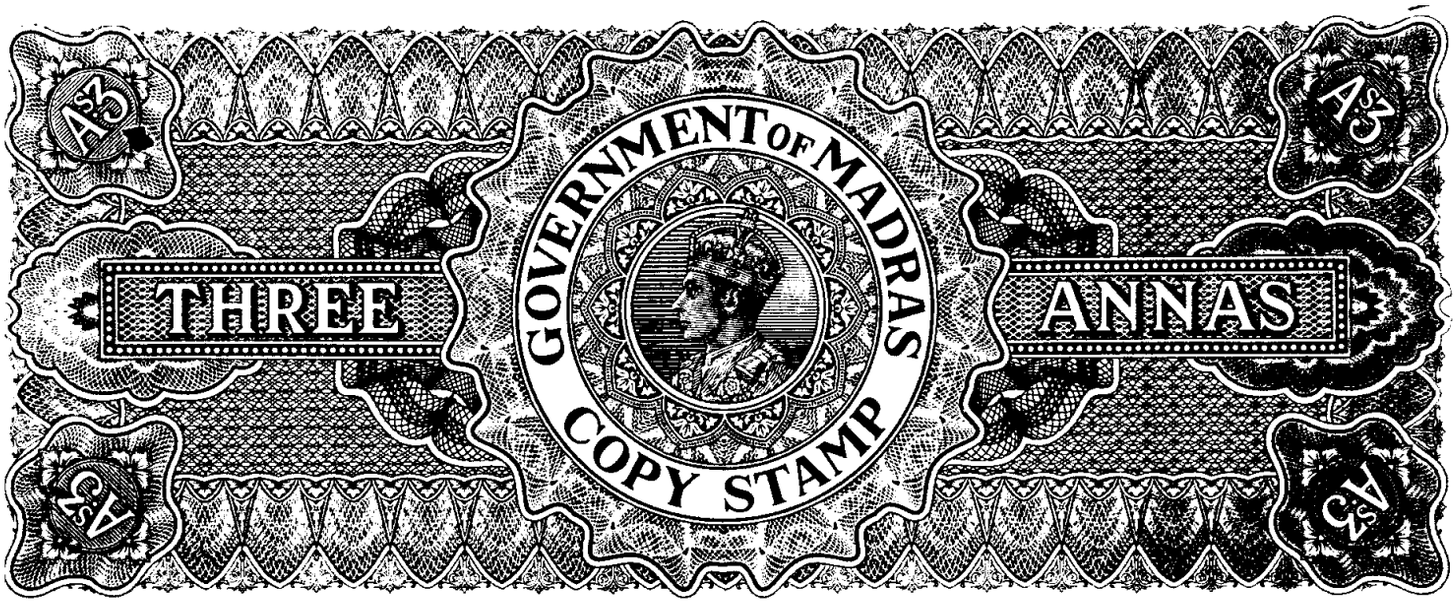
before us from the record the last Collector Mr. Gawne, ever agreed to take this bungalow from anyone. He has not told us that they made an agreement with him. In a manner which those familiar with the ways of this country can understand Mr. Gawne just occupied the bungalow after the previous Collector went out and undoubtedly was accepted as a tenant because the rent was paid. Had it not been for these land acquisitions proceedings no one would have been interested to know precisely on what terms he went in; but it has been material in these proceedings, and it has been a matter of controversy before us and in the lower court as to what part of the surrounding premises was let to Mr. Gawne. I have already said there is no evidence that there was any agreement at all. Mr. Gawne gave evidence on commission and he said that he was enjoying the whole of the premises ---



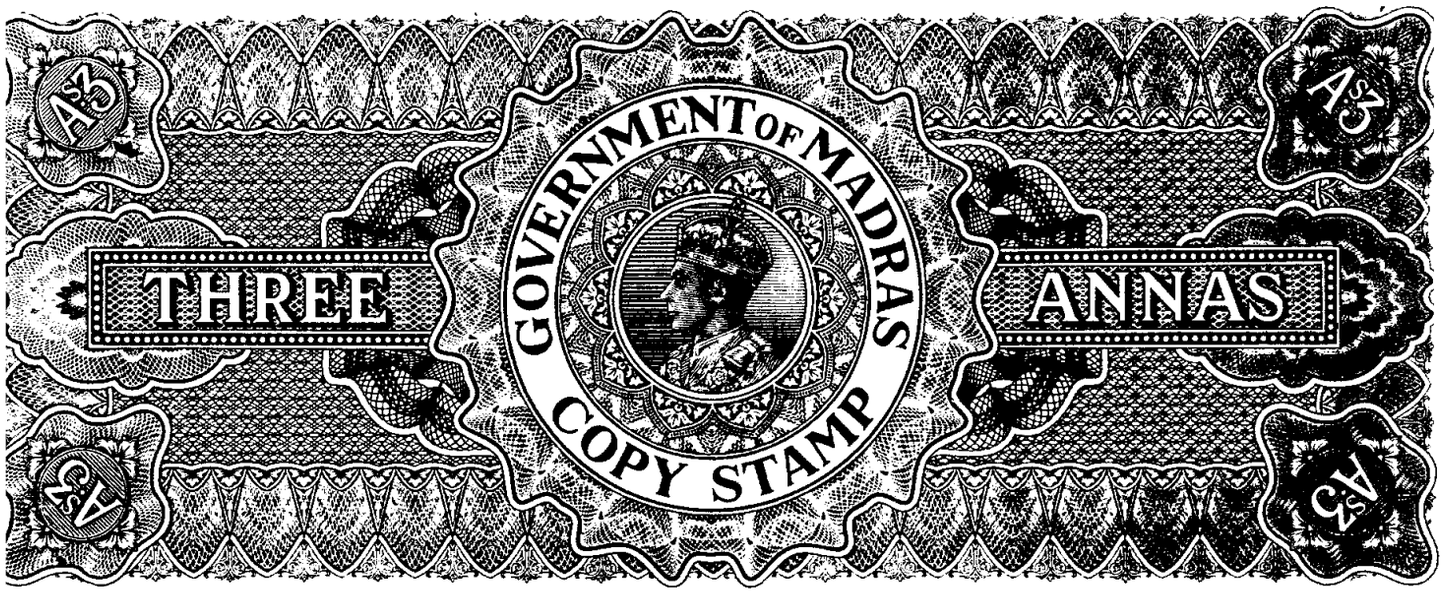
indicated in pink on Ex. XXVIII, which means, of course, that he was going about for certain purposes, plays tennis on the tennis court and bandminton on the badminton court and he grew flowers in the garden. As to the farther end of the compound, he was in the habit of going through the compound -- how often we do not know -- for the purpose of clay-pigeon shooting, and no one ever objected. There is nothing at all remarkable about it. The Collector, the occupier of the house, had some premises for his use and nobody would object to the Collector going anywhere he wanted ~~would object to the Collector going anywhere he wanted~~ to and in doing anything which would add to his amusement. The result that the Government assumed that the whole of these 23 acres and odd was let to Mr. Gawne; but Mr. Gawne, as I have already said, has never said so. It might ordinarily be reasonable to suppose that that was the intention of the owner, but in this case there are two reasons why it is ---



not possible to say that the agreement between the parties was that the whole of the ground should go with the house. One reason is tha Mr. Gawne has never at any time considered what grounds went with the house and secondly there is ample evidence before us to show that tha was not the intention of the landlord. Documents have been filed showing that Mr. Fernandez R.W.9, the first claimant, had by Ex.XIII let out the whole of the 23 acres to one Jaru Pujari in April 1913. By Ex.III it is shown that there is a decree for rent dated 3rd April 1919 and that decree must obviously have been based on the agreement with the Pujari. Ex.XIV is the certified copy of an extract from the suit register showing that ~~there~~ These was a suit, No.509 of 1924, by Fernandez against Jaru Pujari, and it is a claim for rent for the years 1922 to 1924. Prima facie, therefore, there is ample evidence to show that, ---



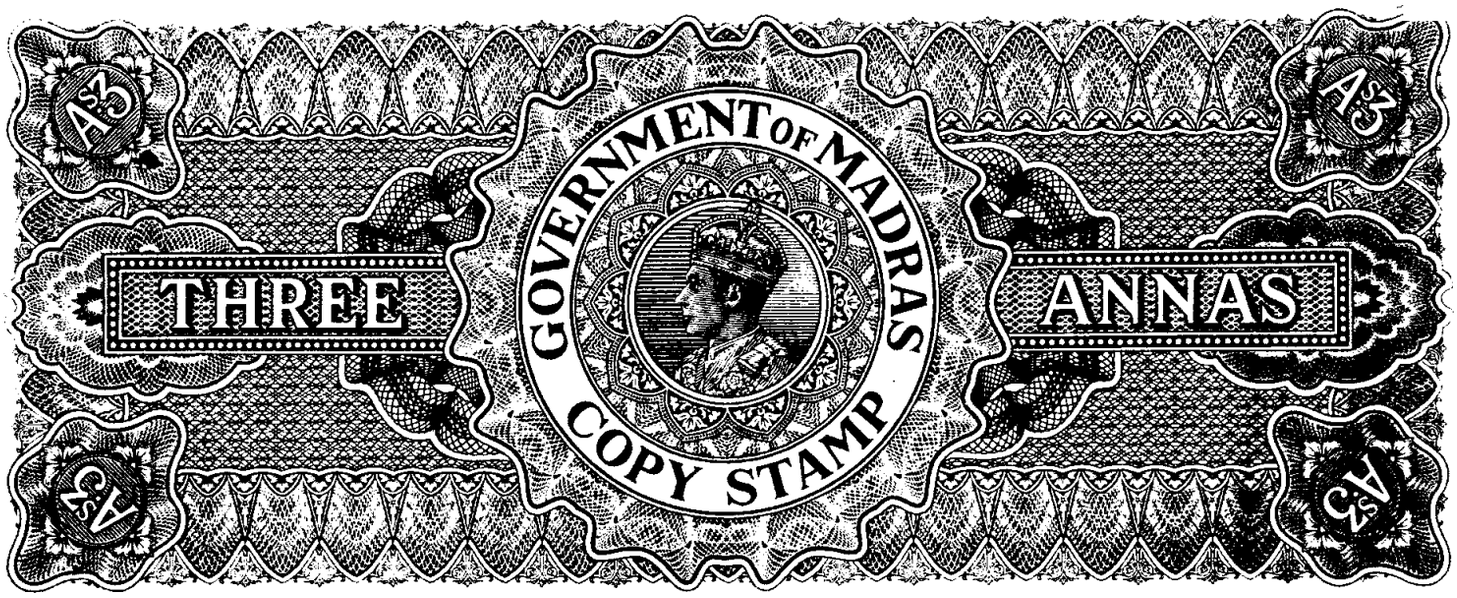
whilst no one objected to the Collector going where he wished in this surrounding property, in fact it had been let to another. I think it right to say that the learned Judge in this case has had an extremely difficult task as have we also, owing to the fact that those responsible for conducting these proceedings in the court below do not seem to have investigated, either by examination in chief or by cross-examination, many material matters. For example, it does not appear that Mr. Game was ever asked what it was that he had agreed to take or whether there was any agreement at all, with whom it was made and when. Mr. Fernandez, on the other hand, might very well have been asked whether he seriously suggested that the occupant of the bungalow was not entitled to the sole occupation of some land adjoining it. Because of these deficiencies it is not possible for us to find if there ever was an agreement by which the Collector of the District was ---



entitled to the sole enjoyment and occupation of the whole of these 23 acres. We think that the learned Judge arrived at a proper conclusion at the end of paragraph 59 of his judgment in which he says,

"As far as I am able to see, there was no definite boundary to the land attached to the Collector's bungalow as its appurtenance, and the Collectors seem to have been at full liberty to go about the entire extent and their landlords were also enjoying the land. Therefore the entire extent of 23 acres and odd was not, in my view, treated as included in the lease to the Collector."

Slightly to amplify what the learned Judge has said, my view is that, whilst there was no agreement whatever with regard to the acreage, it must have been contemplated by the landlord, and most certainly by the tenant, that the Collector should have as much land as was reasonably necessary for his enjoyment, which would of course mean his garden, his tennis court and some additional ----



space for purposes of privacy, but that beyond that, no one thought or contemplated anything definite. It is enough to state that it never was bilaterally contemplated, and certainly not agreed, that the whole of this acerage, 23 acres, was to be in the sole occupation of the Collector as tenant.

The Government Pleader relied very strongly on Ex.H, which shows what Mrs. Coelho thought about the position in 1891. But it is impossible for me to regard Ex.H as being more than an echo of the spacious days of "the nineties" and I consider that it affords no reliable guide as to the conditions in 1935. Indeed it is clear that in 1920 the Government contemplated that 11 acres 50 cents would suffice for Mr. Wells (Vide Ex XVII). There is, however, in the letter the notion that the area should be kept free "from buildings in the vicinity" of the present bungalow lest its amenities suffer and it can only be supposed that the Government today insist, as they do, on acquiring -----

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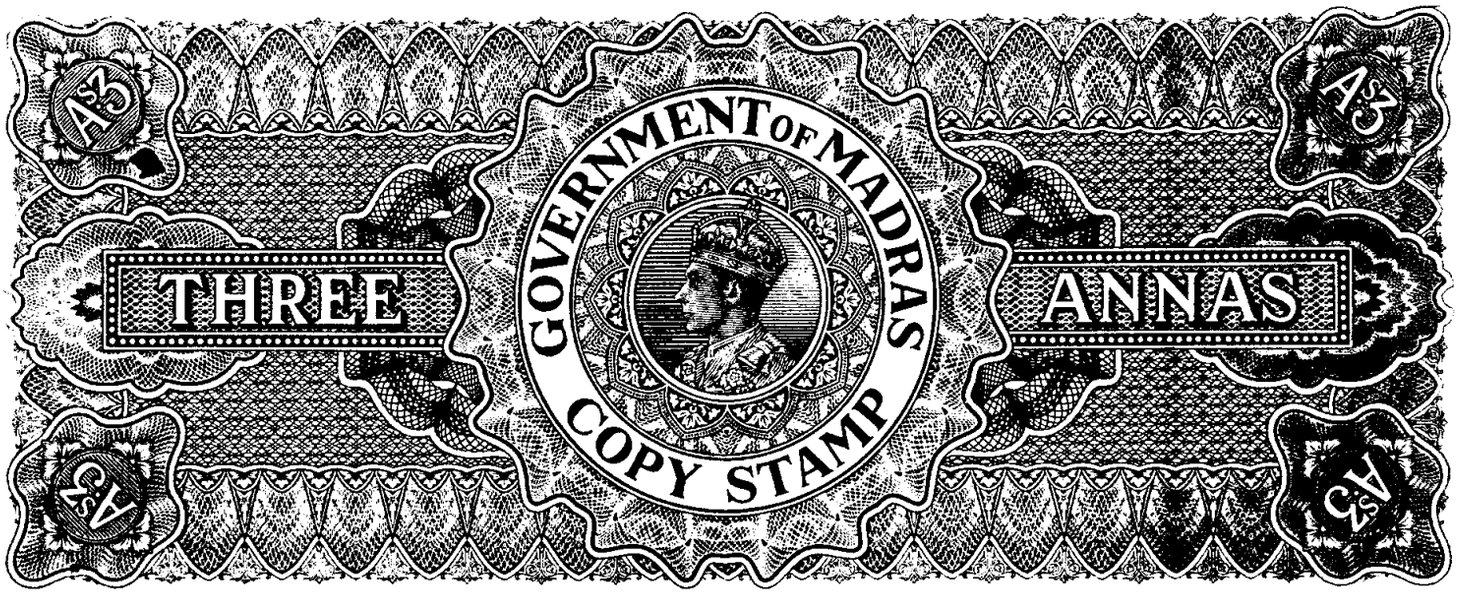
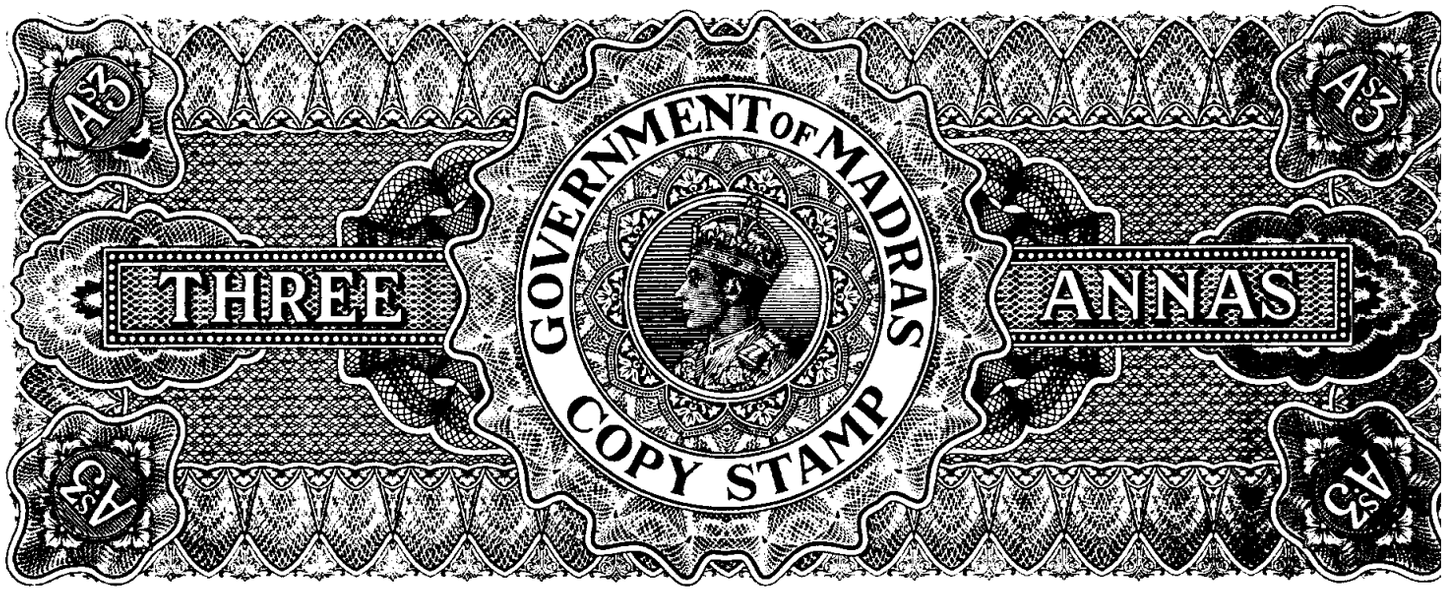
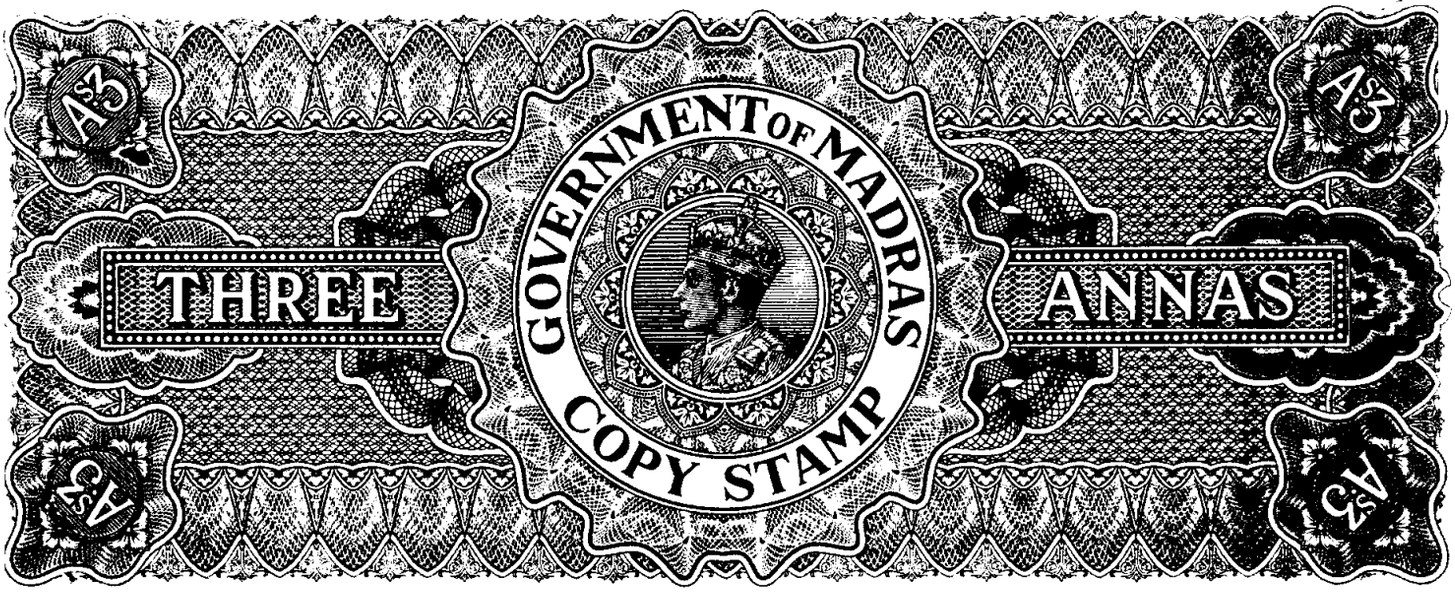


the whole of the 23 acres for the same reason. The Government Pleader has had difficulty in reconciling the idea that the buildings might be built with the argument that the land is unfit for buildings. The learned Judge was also in a difficult position. There was not, as in Kathnamasari Vs. The Secretary of State for India (7) (44 M.L.J. 132) an agreement for a specific area and the ~~xxx~~ criticisms of the Government Pleader that the learned Judge had fallen into an error in this case and has acted contrary to what was laid down in Kathnamasa Vs. The Secretary of State for India (2) 44 M.L.J. 132) is not well-founded. In that case it was found as a fact that an area of 8½ acres has been let and the learned Judges disapproved of the trial Judge arbitrarily allotting part of it to the bungalow and reserving the rest for separate valuation. But on wholly different facts in this case the learned Judge has done this. He -----

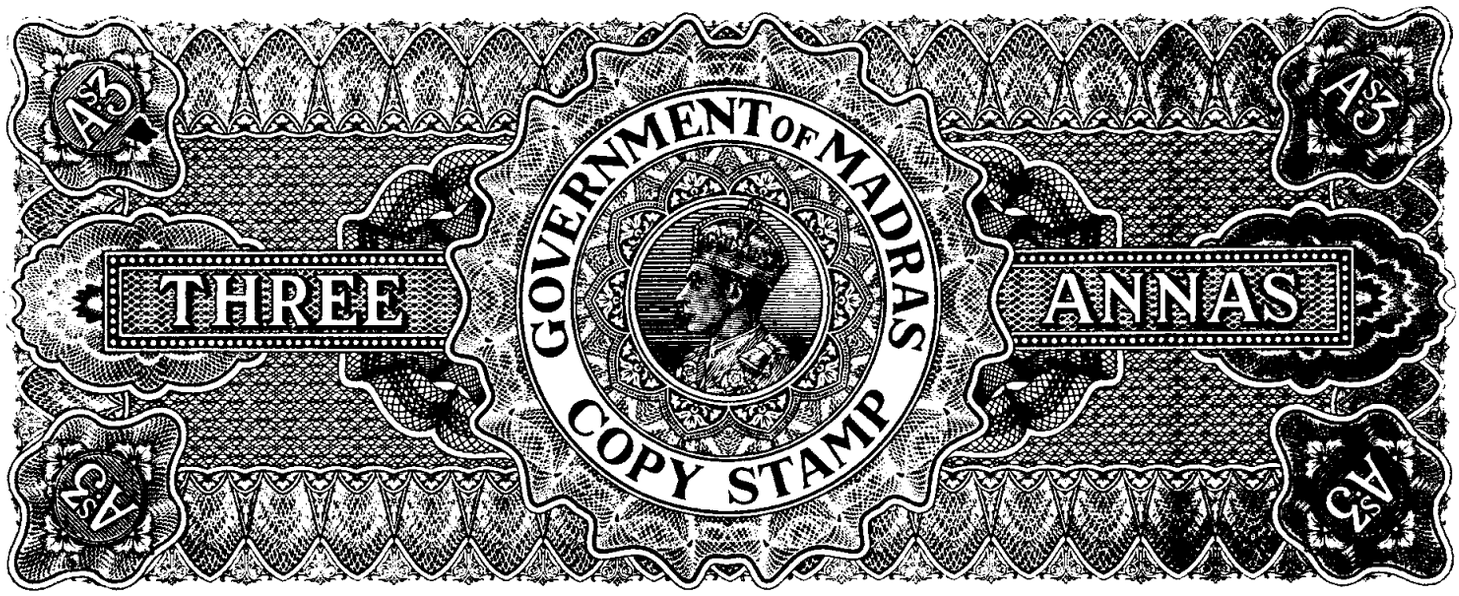


has taken the view that all that was certain is that what was let was the bungalow and he therefore, for the purpose of arriving at a true valuation, allotted to the bungalow such ground which he thought would be adequate for its use and would not interfere with its letting and he took as a guide a boundary beyond the tennis court, having viewed the premises, No doubt he was ~~influenced~~ influenced by Ex.XVI

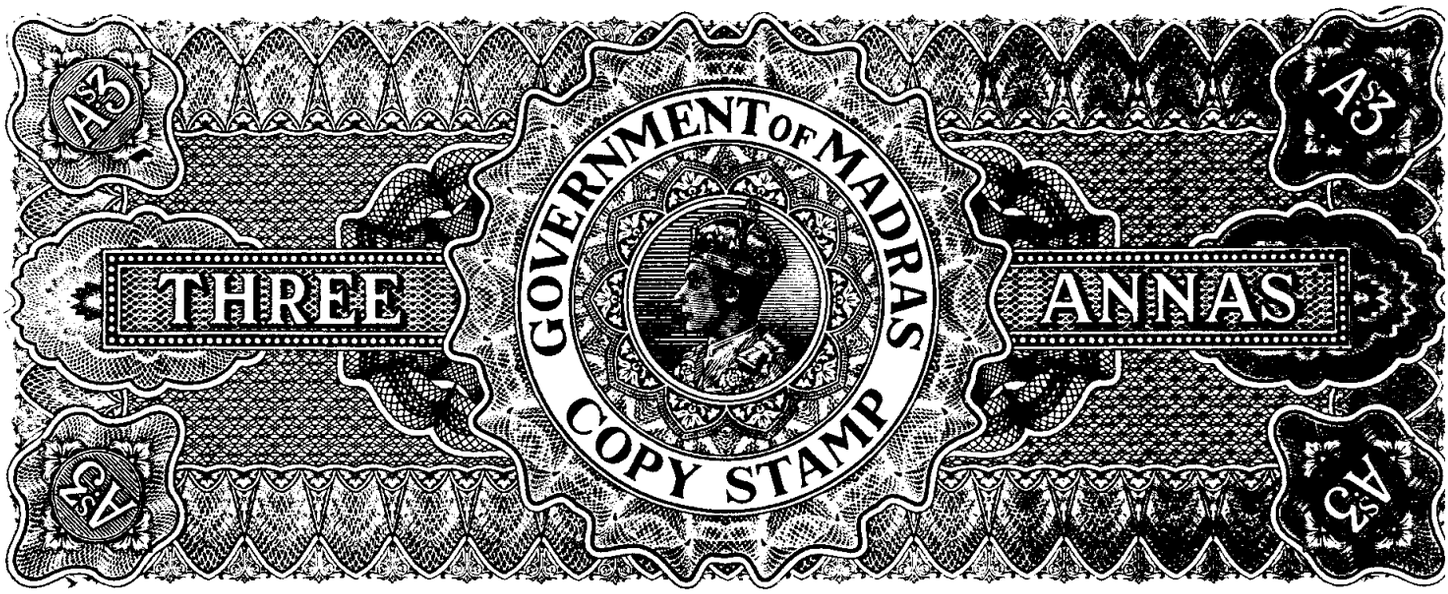
The respondent accepts the apportionment of the 11 acres by the learned Judge and has not argued that the whole of the area should have been valued as were the other 12 acres. It seems to me that this is not at all an unreasonable method of dealing with the matter. The bunga and 11 acres were valued on a rental basis and the rest of the proper was valued on the evidence before the learned Judge. First with regard to the bungalow and the 11 acres thus allotted. The learned Judge has taken the rent as being a ----



Rs 160 and we do not consider that on the record it can be said that this is not a proper rental value. Rs 160 for a large house of this sort and 11 acres in the position that it is does not appear to be excessive. He has deducted two months' rent and multiplied the Rs 160 by ten and has taken 24 ~~xxx~~ years' rental value. There is evidence on the record which has not been contradicted, and Mr. Fernandez has not produced accounts which might have assisted him, that the municipal assessment was Rs 300 and that repairs for 1900 was Rs 280, which amounts to Rs 580, not Rs 320 two months' rent~~xx~~. Accepting the method adopted by the learned Judge, we propose to alter his actual result in this manner. We think that the best method of reckoning this is to take twelve times the actual rent and deduct from it Rs 600 which will cover the taxes, quit rent and repairs. We shall take 25 years as suggested in ---

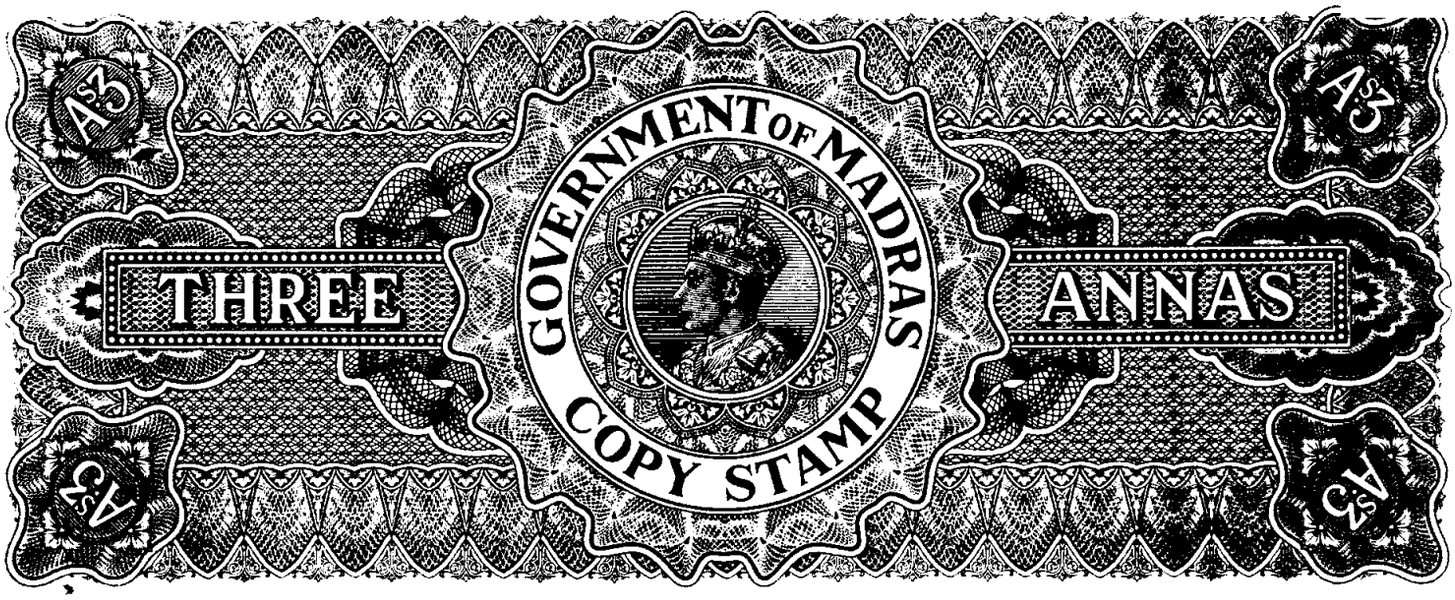


the memorandum of objections and capitalise it. The result will be that, instead of Rs 38,400 as has been awarded, the sum of Rs 33000 will be awarded for the bungalow and the 11 acres, which is a reduction of Rs 5400. With regard to the increase of the period of 24 years to 25 years there is authority of this Court, which is naturally of recent growth, that the view that 20 years' purchase is to be regarded as an immutable rule is not the case. In the case reported in Collector of Kistna Vs. Zamindar of Challapalli (3) 1937 (2) M.L.J. 744) which has been cited to us, a Bench of this Court has pointed out that the notion underlying the 20 years was that the prevailing rate of interest was 5 per cent for gilt-edged securities. That of course is not the case now. In a later decision reported in Land Acquisition Officer Calicut V. Subba Rao (4, (1941 (2) M.L.J.75) a Bench of this Court has followed the decision in Collector of Kistna V. Zamindar of Challapalli (5) (1937 (2) M.L.J.744) -----



It seems to me that the position comes to this, that according to the conditions prevailing at the time of an acquisition, especially the rate of interest generally prevailing, the number of years' purchase should be ascertained. It would not have been unreasonable in this case to have given a longer period having regard to modern conditions But Mr. Muthukrishna Aiyar has asked for only one year more and it is not necessary to say anything further on this subject except that we will allow 25 years instead of 24.

There remains the 12 acres. The learned Judge has investigated the conditions surrounding this with the utmost care. He has, we think, had in his mind what was laid down by the Privy Council in a recent Land Acquisition case on appeal from this Presidency which has been reported in Sri Raja Vyricherla Narayana Gajapathi Raju Bahadur Garu V. Revenue Divisional Officer, Vizagapatam (6) (1939 (2) M.L.J. 45) ----



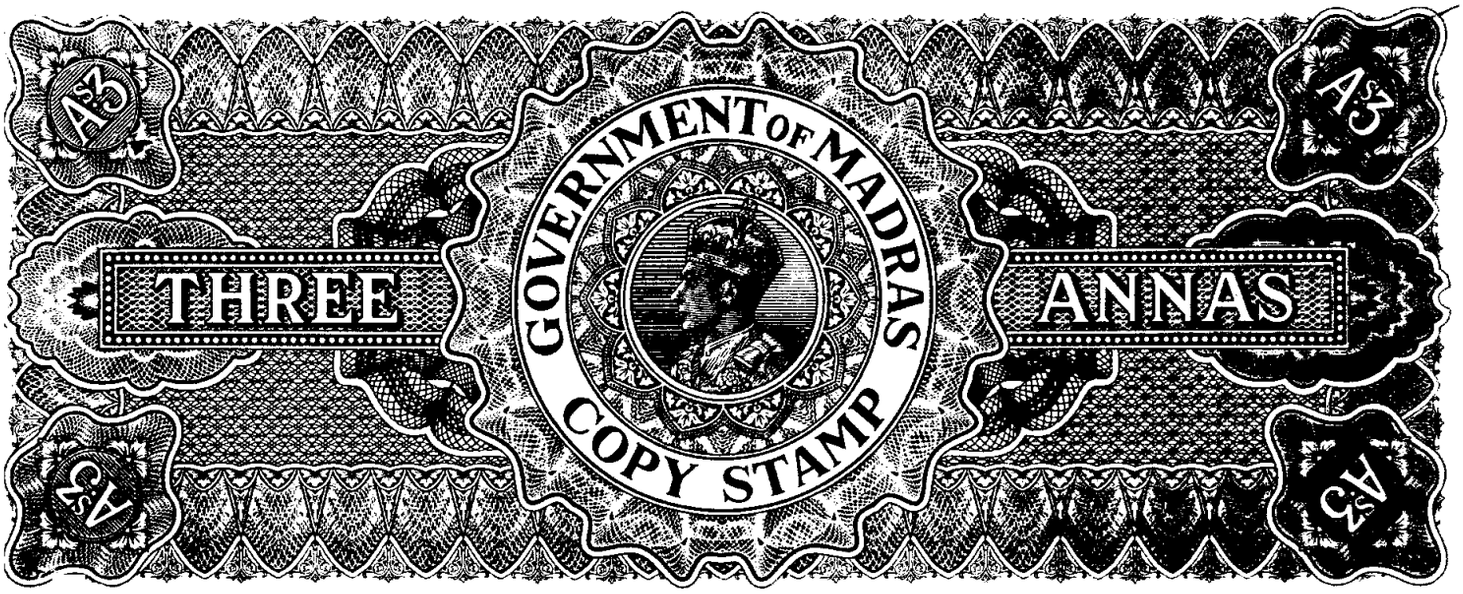
at page 52 Lord Romer says thus:

"It has been established by numerous authorities that the land is not to be valued merely by reference to the use to which it is being put at the time at which its value has to be determined (that time under the Indian Act being the date of the notification under Section 4 (1) but also by references to the uses to which it is reasonably capable of being put in the future. No authority indeed is required for this proposition. It is a self-evider one."

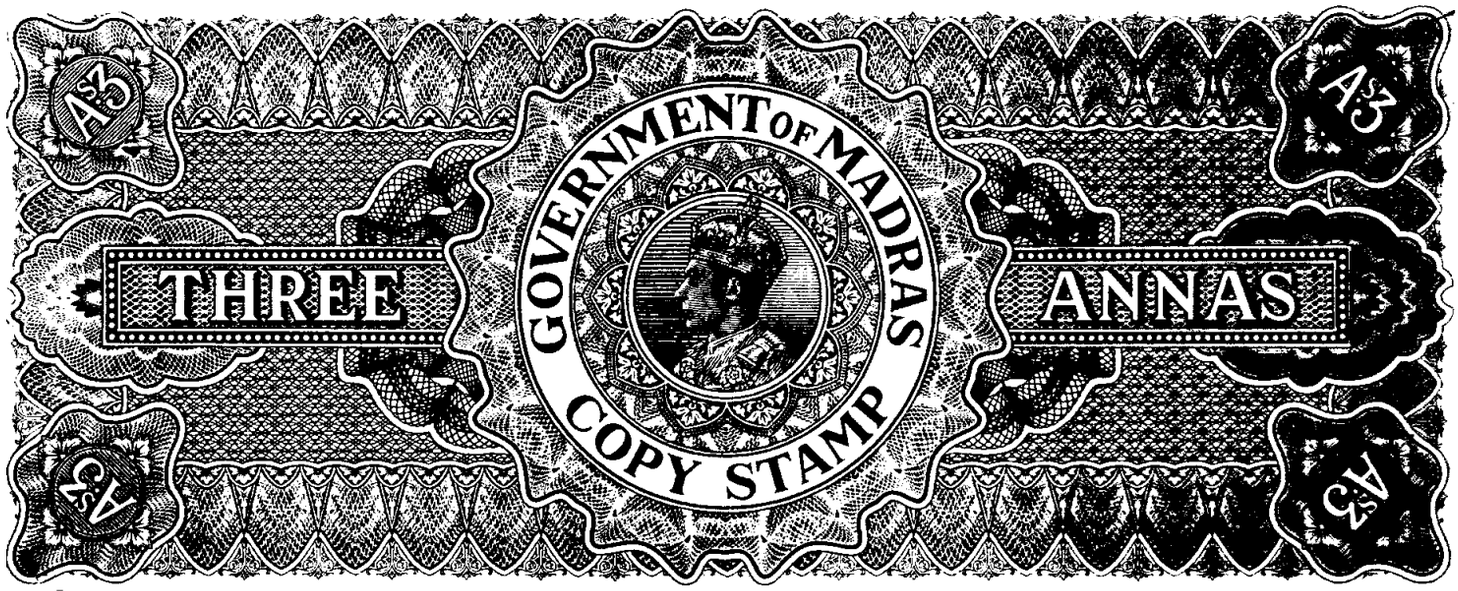
At page 55 His Lordship observes,

"The truth of the matter is that the value of the potentiality must be ascertained by the arbitrator on such materials as are available to him and without indulging in feats of the imagination.

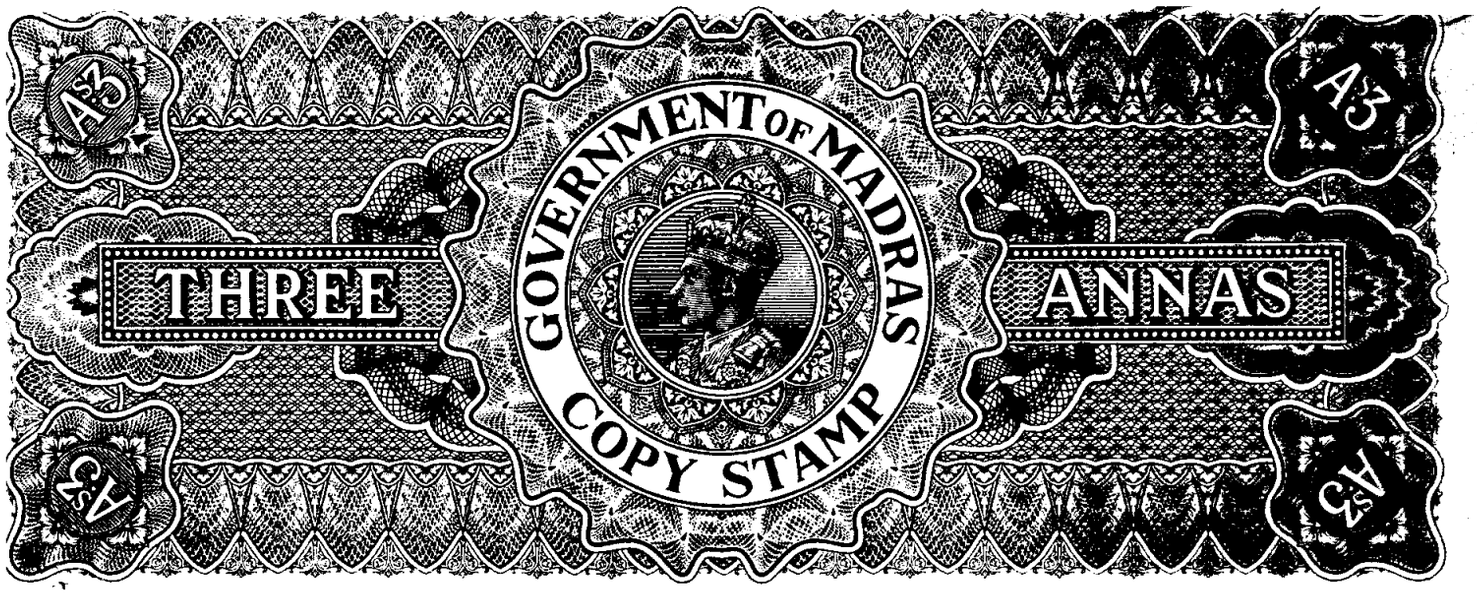
Now, the learned Judge has refrained, from indulging in feats of imagination. He founded his judgment in the evidence before him. It is not necessary to do more than summarise the result of that evidence There is -----



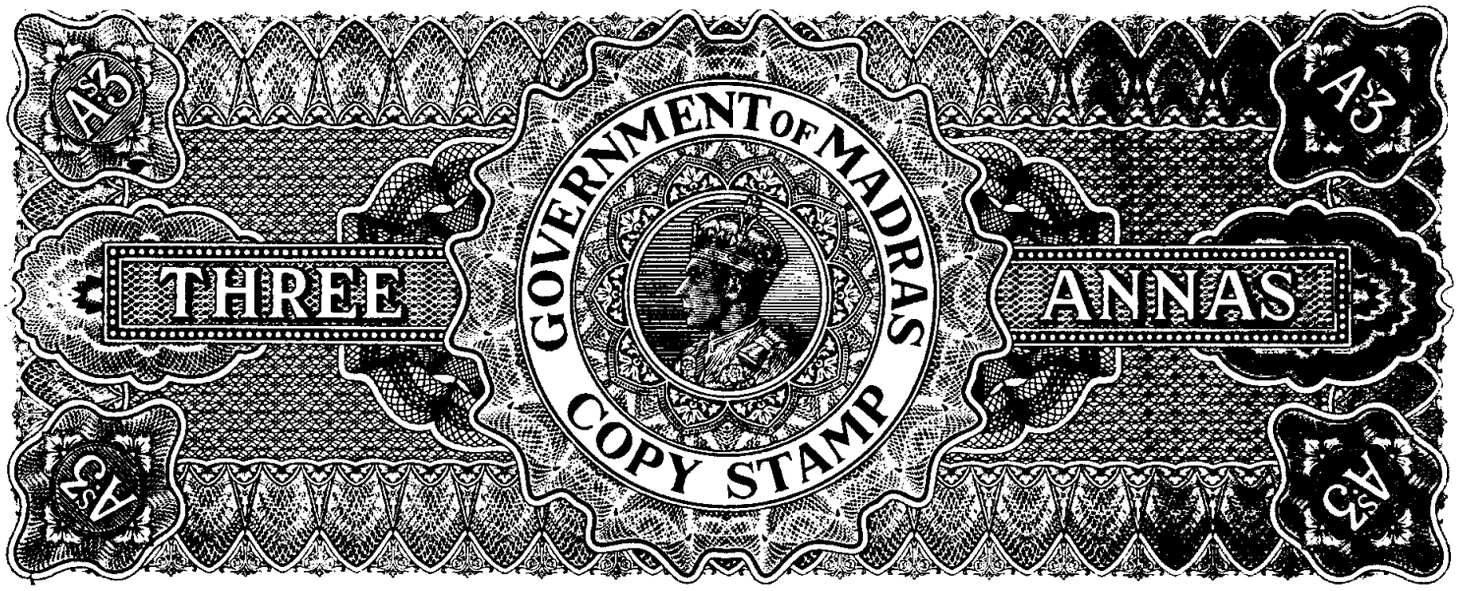
no doubt whatever in my mind that this neighbourhood was becoming increasingly popular and is likely in the future to become increasingly popular as a residential neighbourhood. There is a church there, there is a school there and there is a college there. It is in evidence that there are shops there, including a chemist's shop. Around these premises to be acquired are residential houses. A mass of evidence was put before the learned Judge showing how property in this neighbourhood had been sold or acquired. Ex. IV shows that S.N.345/2 was sold in 1927 for Rs 32500. That consisted of ¼ acre and a bungalow. It is, we are told, and it may well be so from the map, in a more convenient position than S.No.320. It is at the place where the roads meet. A small area of 22 cents was sold for a shop for Rs 2400 in 1929 by Ex.V. By Ex.Q, in 1917 a small portion marked yellow in the plan, was compulsorily -----



acquired by the Municipality at the rate of Rs 2000 an acre, and we are asked to say by the learned Government Pleader that this valuation should indicate the maximum value. It is to be remembered that that was in 1917, twenty years before this land acquisition. Turning to the immediate neighbourhood there is oral evidence and documentary evidence. A number of persons were called who, making all allowance for the optimistic evidence which persons are disposed to give when speaking of values in land acquisition cases, nevertheless seem to be persons on whose reliance could be placed, and it is upon their evidence that the learned Judge has arrived at the conclusion that this was a growing neighbourhood. The chief witness for the Government, an ex-Tahsildar of Mangalore, himself said that the locality has risen in value to a slight extent for five or six years, and he was speaking on the 20th September 1937. There is undoubtedly evidence that some years before there had been something in the nature of a ----

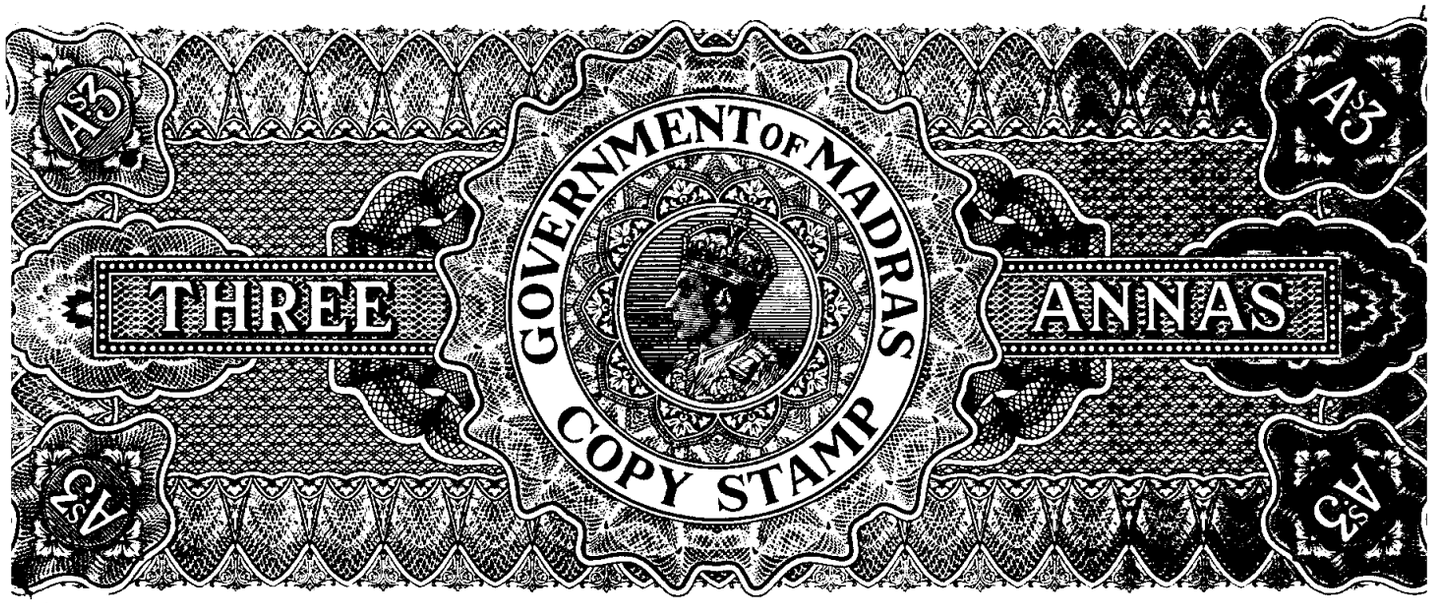


minor boom in the value of sites in Bangalore. That was in 1926 and 1927, but apparently from about 1932, values were increasing again. We are assuming in favour of the Government that there was a relapse in prices in 1927 and then, although the evidence is not very clear, it has been shown that a portion of land at the back of St. Agnes School was sold under Ex.IX in 1928 for Rs 4000 an acre. The land is not even on the road. It may well be said that it had a special value for the school. That does not seem to have been investigated, but the fact does remain that this plot of land, well away from the road, was sold at that price. On the other hand, it has been pointed out that the sale price of the small plot under Ex.V consisting of 22 cents works out at about Rs 10000 an acre. It is in evidence, as I have already pointed out, that the only place in ----

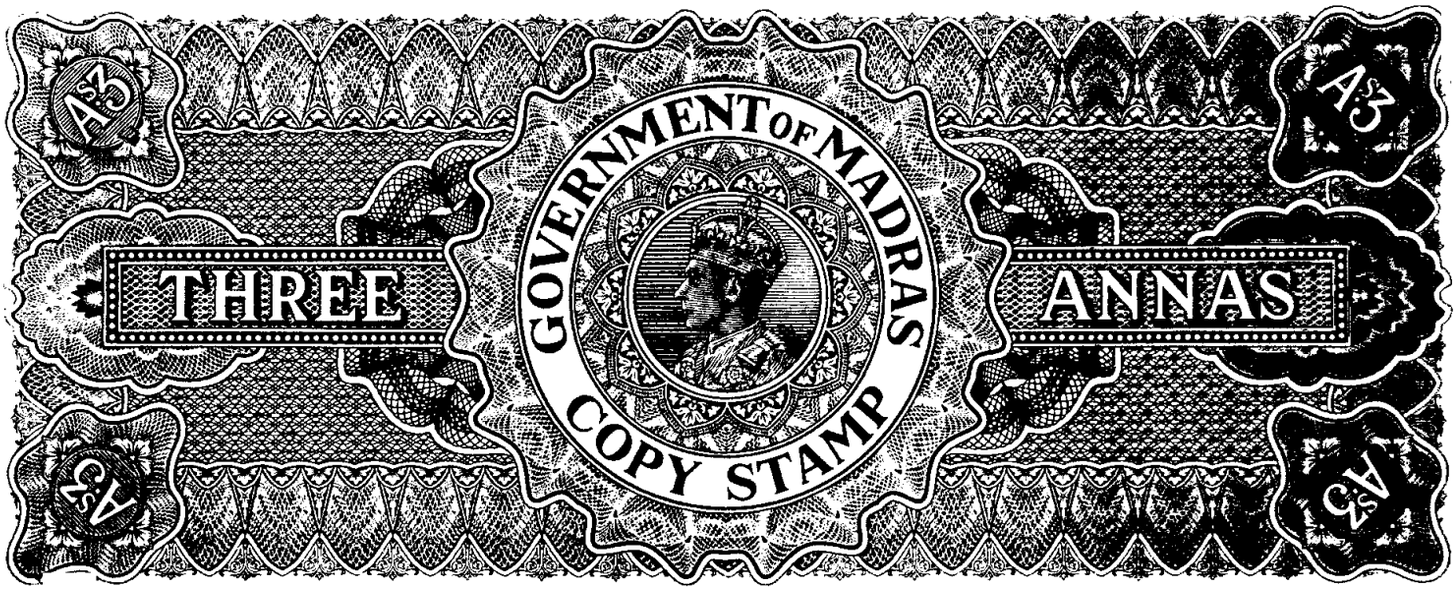


this neighbourhood not built on is that part of what has been described as the Collector's bungalow compound which abuts on the road. Everything therefore indicates that this land is in a specially advantageous position and that the potentialities which I have to bear in mind are considerable. But there is evidence on the record that the whole of it is not in the same class. The Tahsildar, P.W.3, has proved a plan marked Ex.M in which he has indicated by pink and white colouring the portions which are suitable and unsuitable for building. It will be seen that, according to him, approximately one half of the frontage is suitable for that purpose with a suitable back area. With regard to the rest he says that no buildings can be raised on the portions marked in pink as the slope is too steep. The portion to the south of the bungalow is covered by a flower garden. In cross-examination he said this:

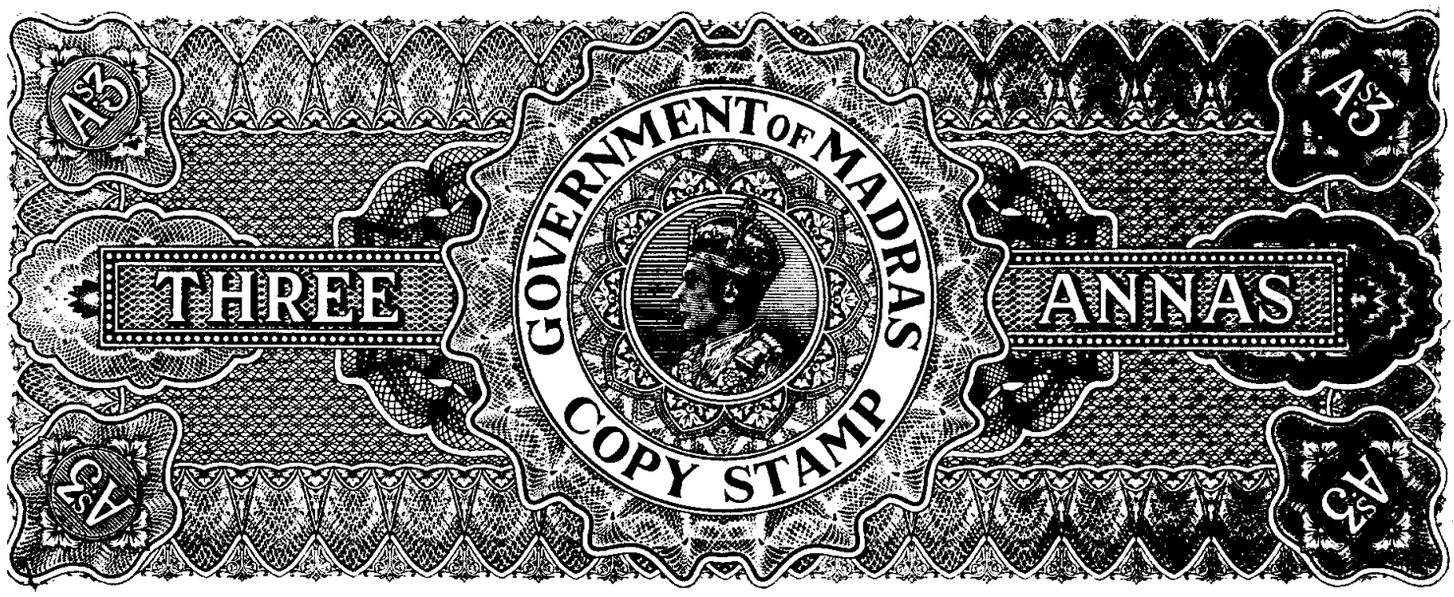
"The eastern portion is a gentle slope towards ----



the road and could with some difficulty be made into fit building sites. The uncoloured portion in S.No.720 is a level land. Mangalore is a place of ups and downs. There are houses in valleys and on hills. I say that in the north and west it is not possible to build". But the portion we are dealing with is in the ~~west~~ east. The evidence of the Tahsildar must have been easily understood by the learned Judge as it is no uncommon thing in hilly areas of South Indi to see houses on flat sites cut out of hill sides. This is the case not only in Nilgiris but apparently in what he described as the hilly portion of Mangalore area. But the learned Judge was careful differentiate in his valuation the frontages, the portions which he considered fit for building and the portions which were less suitable In paragraph 63 of his judgment he finally arrived at the conclusion that he would value 10 acres leaving out of -----

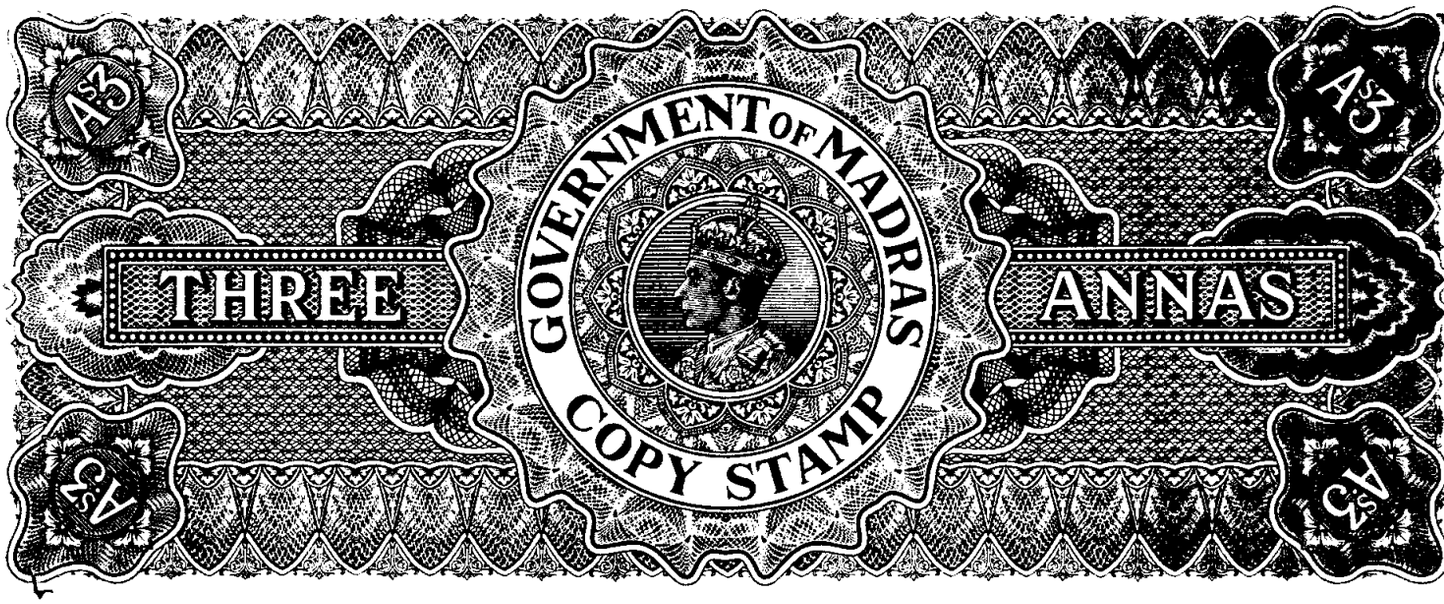


valuation 2 acres and 59 cents a substantial amount and he took for the best 5 acres the rate of Rs 1,000 and for the rest Rs 2500. Having regard to the facts which, I have indicated, are revealed in the evidence, namely, the building possibilities of this land, it is impossible for me to say that there was not before the learned Judge on the record at any rate material for arriving at this result. The learned Judge, as I have several times said before, had a very difficult task. The Government Pleader's task has also been difficult and it has been almost impossible for him, in view of the position that no one knew what was let to the Collector, to indicate any better method than that adopted by the learned Judge. It therefore came to this. Was the learned Judge wrong on the evidence in placing upon these 10 acres the valuation which he did in fact place? It is quite obvious from a perusal of his judgment that there was no single ----

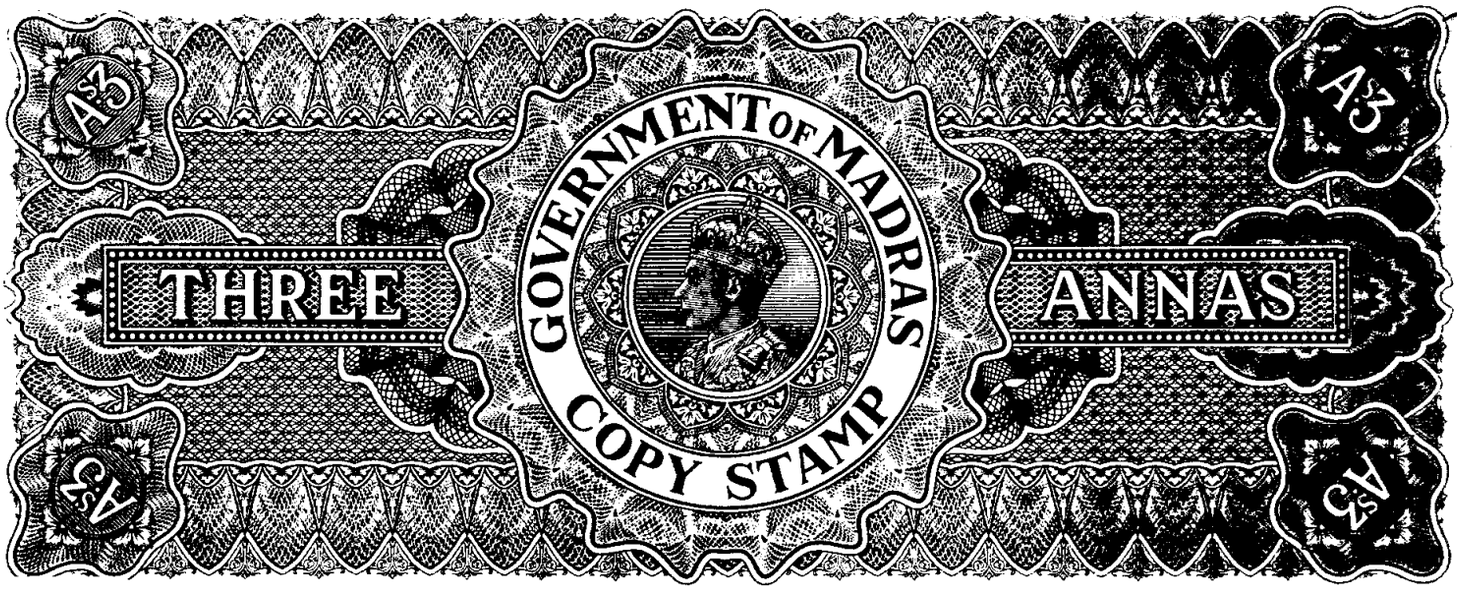


circumstance and no single document which he did not consider. It is, in my view, unnecessary to say more than this, that the result that he arrived at was a reasonable result, a result which, in my opinion, most probably represents the true value of this land. It is difficult to say more than that because of the great difficulties that the Judge himself was confronted with in arriving at an estimate.

There is a memorandum of objections by the first respondent in which he asks that for the land valued at Rs 4000 a valuation of Rs 5000 should be given and for the land valued at Rs 2500 a valuation of Rs 3000 should be given. I have already dealt with the memorandum of objections relating to the increase from 24 years to 25 years. The answer to this memorandum of objections is precisely the same answer as that given by us to the learned Government Pleader, namely, that there is no reason to suppose that the learned Judge has arrived at a ----



wrong conclusion. I consider that, when the matter has been so carefully considered as this has been the Court should refrain from ~~xi~~ criticisms and alterations in values, unless it appears that some fundamental error vitiates the valuation. We have been constrained on the evidence to hold that there has been some error in valuing the bungalow and the 11 acres owing to an insufficient allowance for what may be broadly described as outgoings and we have indicated that in that respect the valuation must be decreased by Rs 5400 in conjunction with the allowing of the Memorandum of Objections with regard to the 24 years' capitalised value. But, apart from that, we see no reason for interfering with the learned Judge's judgment. The result will be that, in substance this appeal must fail except to the extent of Rs 5400 only. There will of course be the statutory 15 per cent solatium to the total of Rs 65500, which is the result of our conclusions above. The Memorandum of Objections is allowed only ----



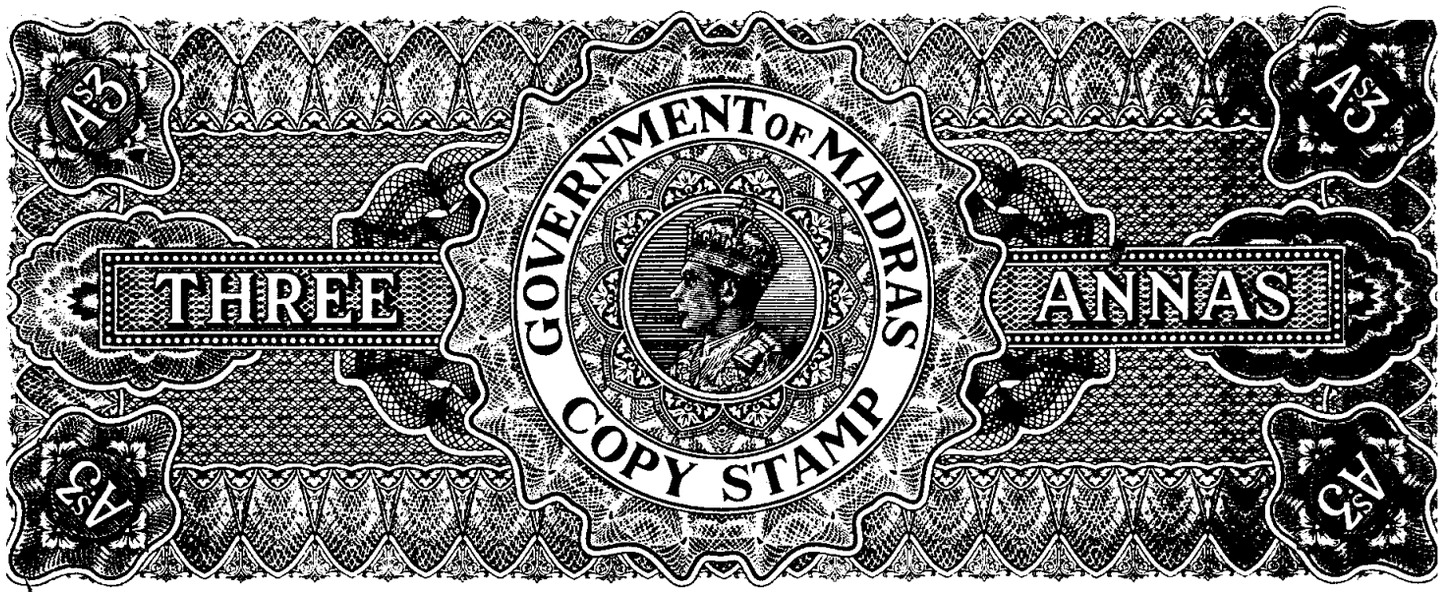
to the extent indicated above. The parties will pay and receive proportionate costs in the appeal and in the memorandum of objections. The order for costs in the lower court will stand.

Kunhi Raman J.

I agree and I should like to add a few words.

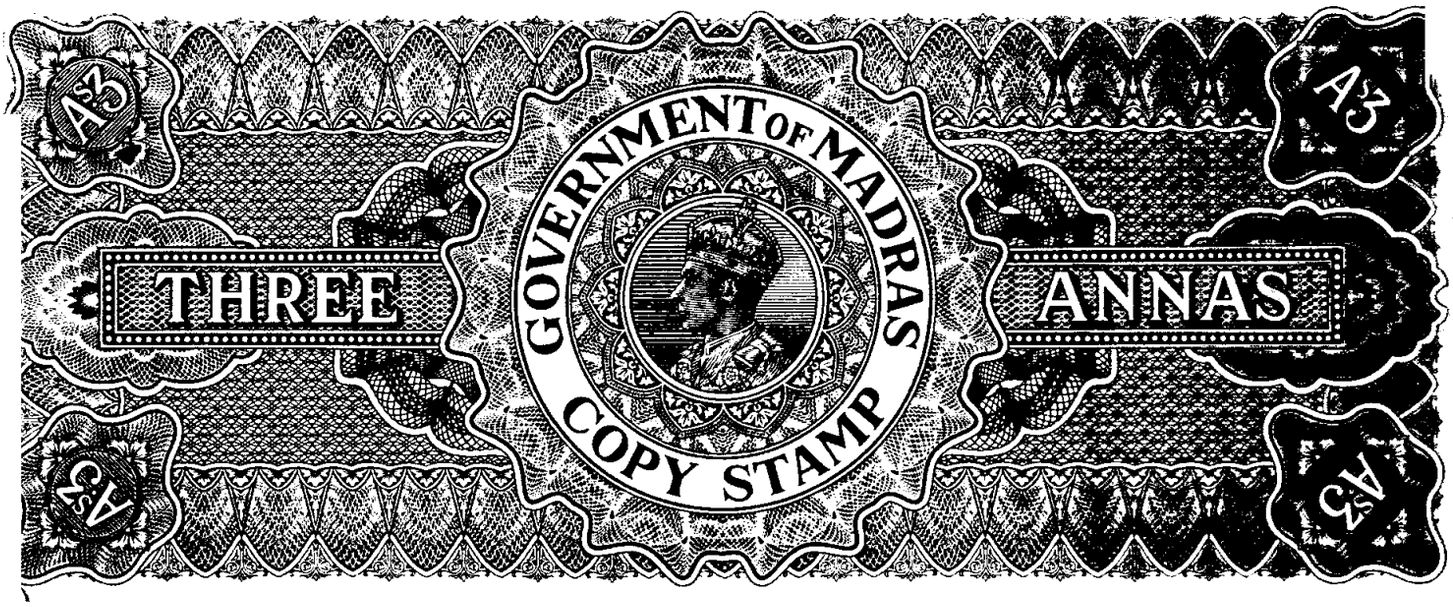
The notification under Section 4 (1) of the Land Acquisition Act was published in this case on the 10th December 1935 and therefore in valuing the property under Section 23 the Court below had to consider the market value of the property on that date, the clause of section 23 that would apply to the present case being clause (1) which refers to the market value.

In fixing such value the Court below has ascertained the value of the bungalow and 11 acres of land which, in its opinion, would be properly ~~appertained~~ appurtenant to the building and has valued the remaining 12 acres and 59 cents as land fit to be used as building sites. The objection of the Government Pleader to this valuation is, as already indicated ---



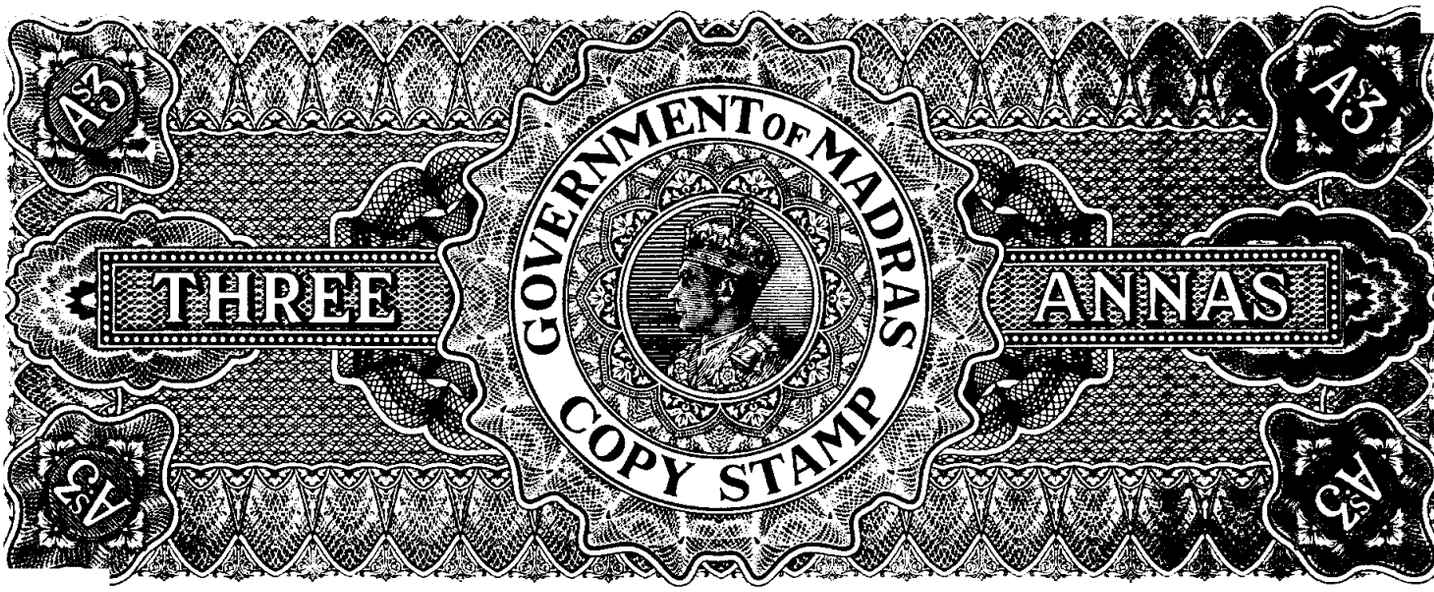
in the judgment of my learned brother, that the entire extent of 23 acres 59 cents should be regarded as appurtenant to the ~~building~~ land known as the Collector's bungalow and the whole property valued on t rental basis. The evidence does not support this contention. In Ex.H, the letter written by Mrs. Coelho to the Collector in 1891, she refers to the whole property comprising 38 acres and 19 cents, which was the extent of the land at that time, as part of the - Collector's bungalow. The bungalow itself seems to have been built by 1861, but subsequent to Ex.H parts of the land on the fringe of the estate have been parted with by the original owners, with the result that, at the time of the land acquisition proceedings, the bungalow had only 23 acres and 59 cents attached to it. The evider shows that in a part of this large compound one of the claimants was quarrying for laterite stones. The evidence of P.W.1 Mr. Gawne refers to this. ----

He says that there were two big pits in the compound, which he imagined were quarries from which the stones for the building were taken. The evidence also shows that the first ~~defendant~~ claimant had leased out small parts of the 23 acres and ~~50~~ 59 cents to two tenants by name Pinto and Viegas, who were permitted to put up superstructures on them. Ex.VI is a decree against Pinto and Ex.XVI is counterpart of the lease executed by Viegas. Mr. Garme, who was a tenant of the bungalow at the time these tenants were constructing their super-structures, did not raise objections. He refers to these super-structures in re-examination. He says, "My impression was that the fire-wood depot and other mud-tiled huts were built in the assertion of rival claims of the sharers to create evidence inter se and not as evidence of any possession against the Collector." The fact that these superstructures were built in the compound is admitted by the witnesses. This makes it clear that the entire extent of ---

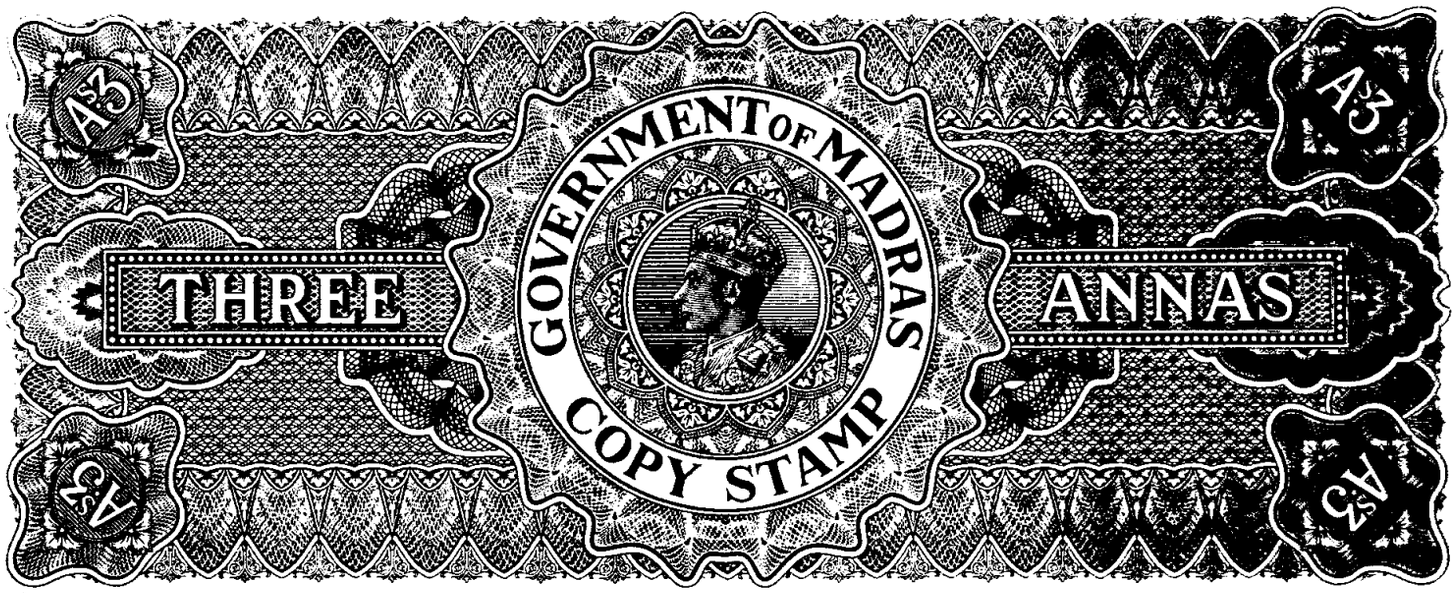


23 acres and 59 cents was not leased out to him along with the bungalow.

The Government Pleader then objected to the Court below valuing only 11 acres along with the building and said that there was no warrant for this procedure. But it will be seen that both the Government and the rival claimants were on certain prior occasions regarding this extent of land as being properly part of the premises known as the Collector's bungalow. In Ex. XVII, which was a letter written by Mr. Wells, who was then the Collector of Mangalore, he makes an offer to the owners of the property to purchase the bungalow with 11 acres and 30 cents together with the 15 per cent allowance for compulsory acquisition and he asks the owners to state what their lowest quotation will be for that property. In a partition suit filed for dividing the property amongst the claimants it was agreed that the bungalow and 11 acres be separated from the rest of the property and sold for the benefit ----

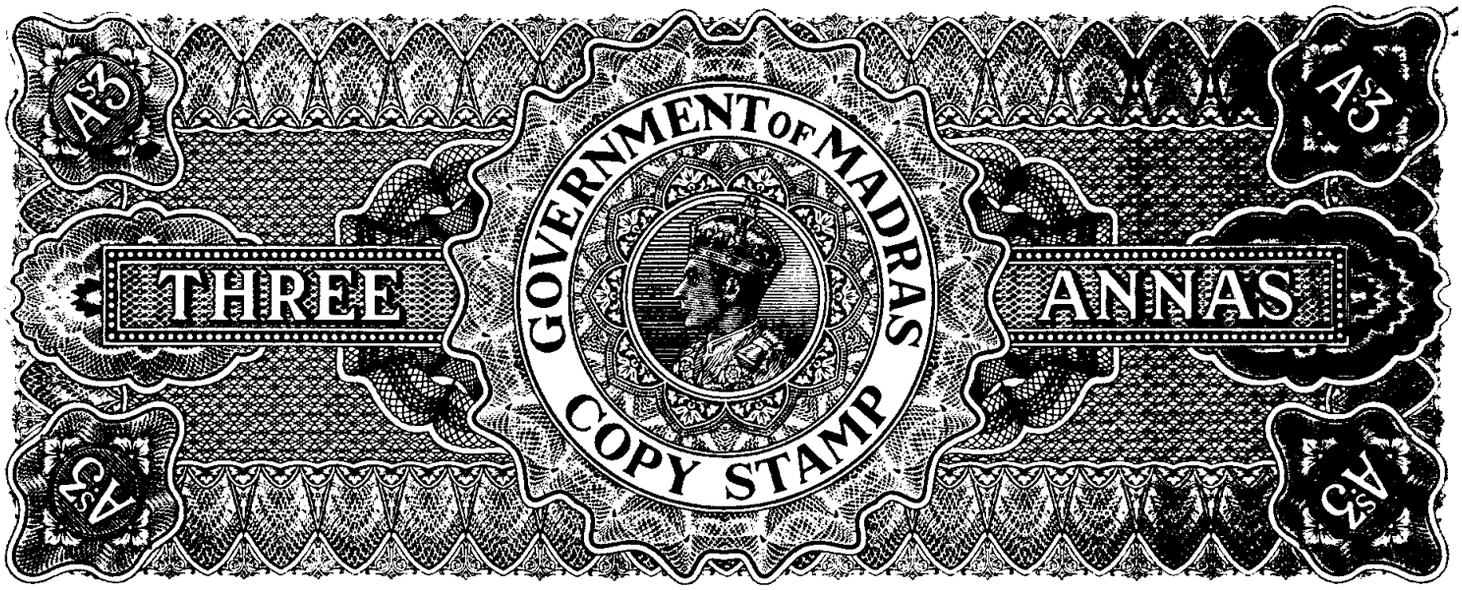


of the sharers. In the written statement of the first claimant he refers to paragraph 9 to the fact ~~aht~~ that in 1928, when there was a proposal to acquire the bungalow, the proposal was to acquire only about 11 acres as a necessary adjunct to the bungalow and that a plan had then been prepared indicating the extent required. It is thus clear that there was justification for the learned trial Judge valuing the building together with 11 acres separately from the rest of the compound. Moreover this method of valuation has certainly benefited the Government. The parties who have reason to object to this method of valuation are the respondents, but they have not chosen to do so. In their memorandum of objections, they only ask that, instead of computing the value on the basis of 24 years' purchase, which was the method of calculation adopted by the trial court, the rental value should be capitalised on the basis of 25 years' purchase, and this has now been granted to them. This method



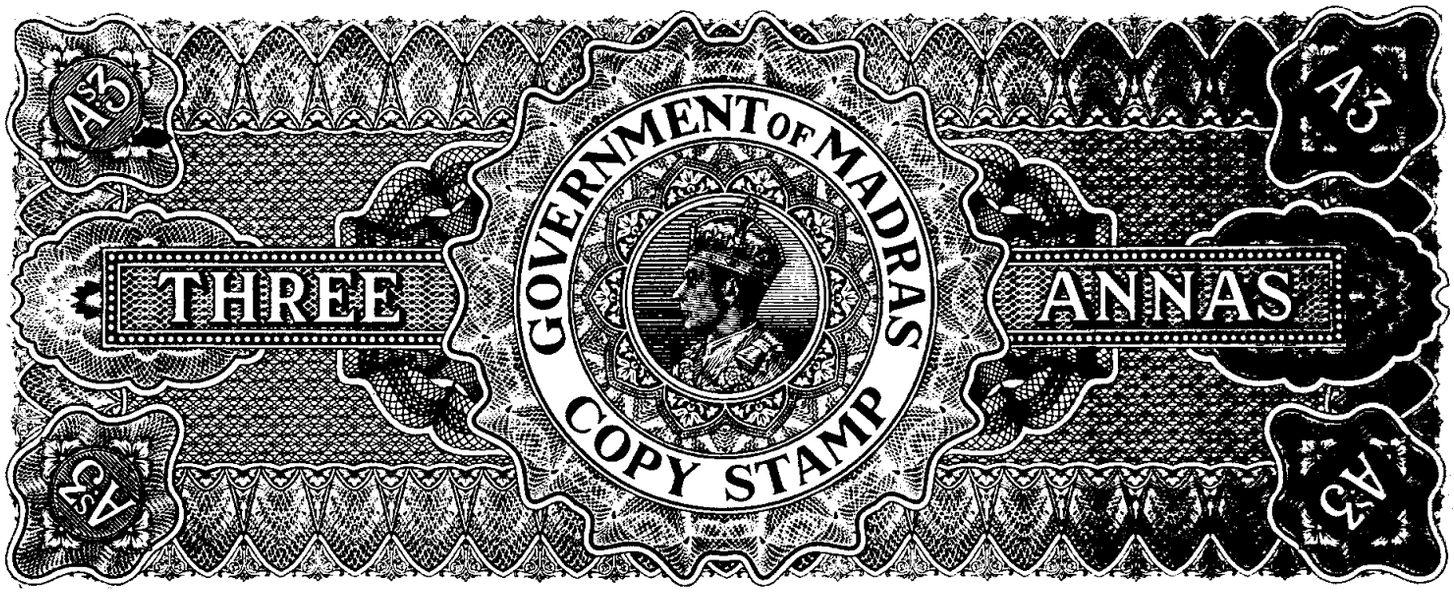
of ¥ capitalising has had the approval of the Judicial Committee of the Privy Council in the case reported in the Secretary of State for India in Council V. Shanmugaroya Mudaliar (7) (16 Mad. 369). On this aspect of the case I wish to state that, in fixing the number of years' purchase, regard must be had not only to the prevailing market for gilt-edged securities but also to all the circumstances of the case -- the nature and extent of the property the rental value of the property and all the surrounding circumstances including normal return from investment in landed property. No infallible rule can therefore be laid down as regards the number ~~of~~ of years' purchase. In the present case I am fully satisfied that the prayer in the Memorandum of Objections that the rental value may be capitalised on the basis of 25 years' purchase is not extravagant.

It is then said that Rs 160 a month will be too high a rent to take into consideration in valuaing the property because ---



it is pointed out that the owners were not getting rent at this uniform rate all the time. There is evidence that in 1891 the rent was Rs 125 a month, and that in 1924 Mr. Wells was paying Rs 150. There is also evidence that at about that time Rs 2500 had to be expended in improving the premises, that between 1929 and 1934 the entire flooring was renovated at a cost of Rs 3000 to Rs 4000 and a new kitchen built at a cost of Rs 1000. During the time that Mr. Dawne was in occupation electric installation was introduced and the tenant incurred an expenditure of Rs 2021 for replacing the roof of the verandah which was in a dilapidated condition. In view of all those improvements it seems to me that the rate of rent taken into consideration by the Court below, and which we have accepted as ~~rent~~ correct, is reasonable.

The valuation fixed by the lower court for the 12 acres and 59 cents of vacant land seems to me ---



to be reasonable. According to the evidence, the bungalow is situate on the top of a hillock. On the north and west sides of the hill the gradient is steep, but on the east and south the slope is gradual and some parts are level. The main roads on the east and the south of the property would naturally increase the value of the land. It is argued on behalf of the Government that, in view of the steep gradient of the north and west sides of the hill, the price fixed is too high. But I am satisfied that the Court below has taken all these physical features into consideration. It is clear that the value of the 2 acres and 59 cents for which no compensation has been allowed will more than make up for any possible deficiency in value due to the steep slope on the north and the west of the property.

(Sd) K.N.Ganpati,
31-10-41
Dy. Registrar, A. S.

Sheet 35 & last
S.S.Sastri
Total words 6123.

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South Kanara District

Mangalore Town

Scale 1 inch = 132 ft. T.S. No. V. 13. 320
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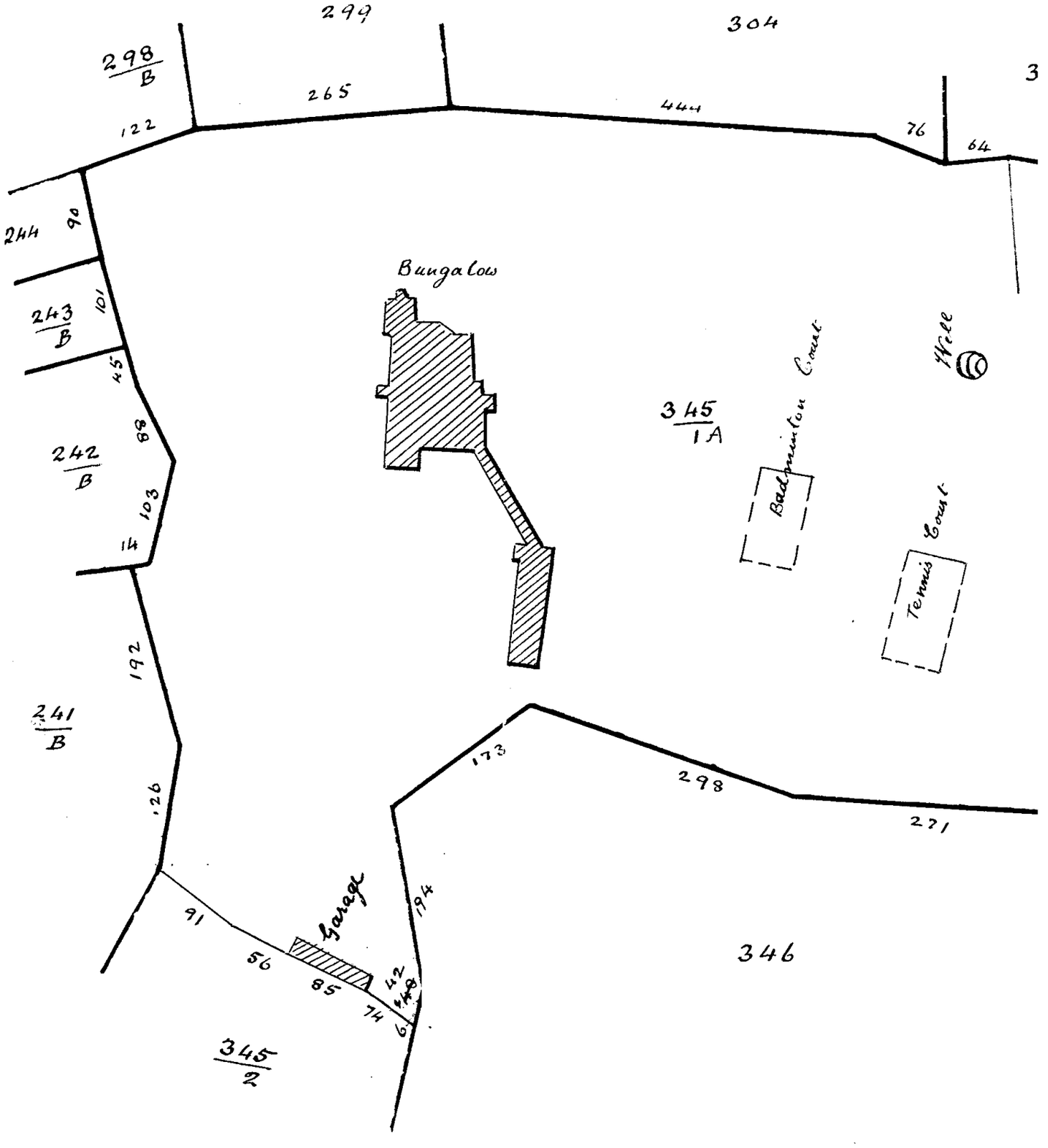
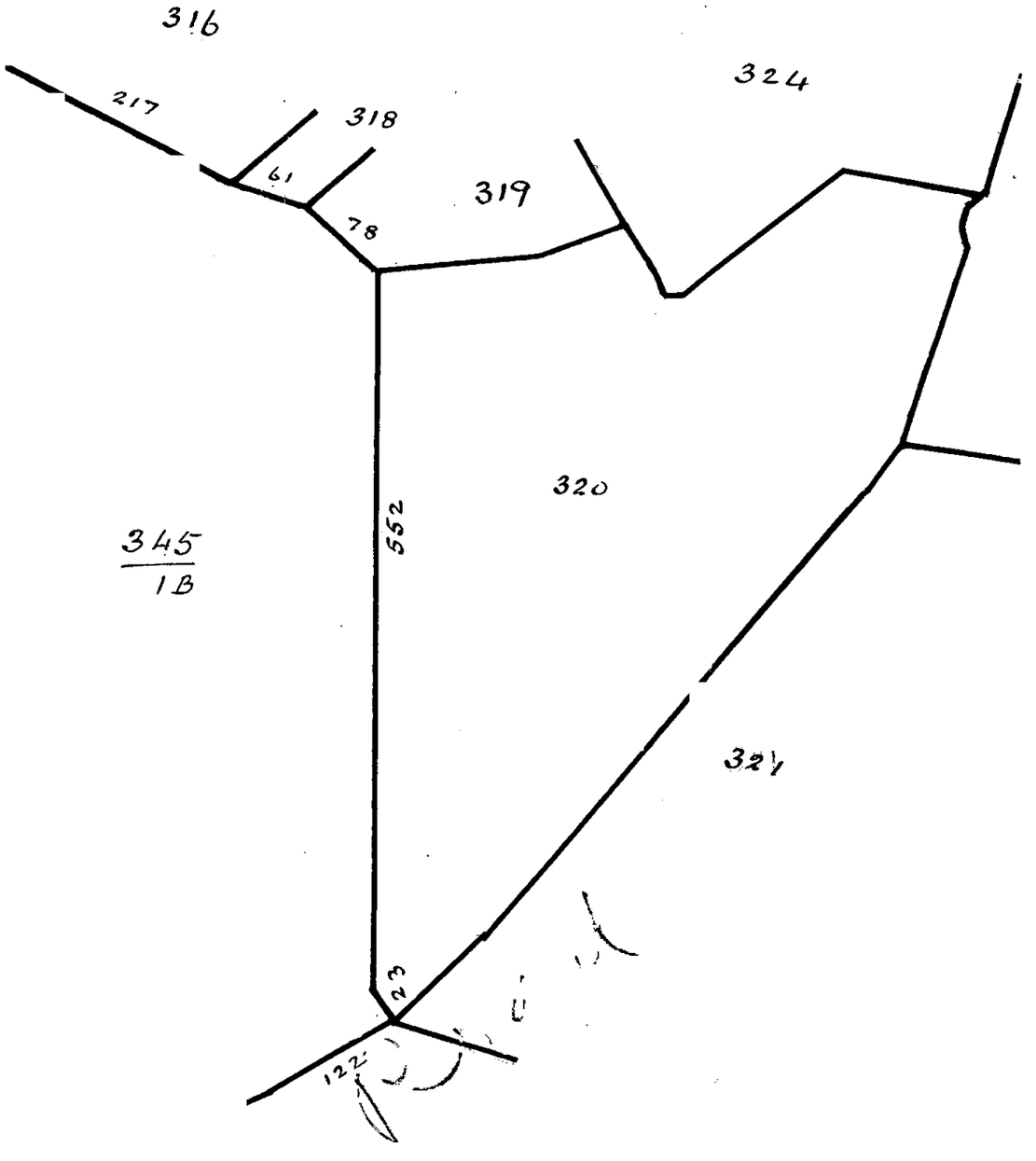


Area of plots proposed to be relinquished

No.	extent a.	cents
320 ..	3	75
345-1B	6	08
Total	9	83

345-1A = 13-76 Reserved for Bungalow.



Board of Revenue, Madras.

Subject.

Buildings. Government - Residential - (South Kanara) Mangalore town - Collector's bungalow compound - Sundry extent - Ptition from Rao Bahadur K.T.Alwa.

Re. E.5489/44-17 Dated 16-8-1944.

From

Rao Sahib Sri S. Virupaksha Chetty, B.A.,
Joint Secretary, Board of Revenue.

E.C. Wood Esq., C.I.E., I.C.S.,
Commissioner of Land Revenue, Excise, Separate Revenue and Comml. Taxes.

Read:- Petition dated 10-4-44 from Sri Rao Bahadur K.T.Alwa.

REFERENCE

Submitted to the Government in continuation of the Board's Ref. No.E.5489/41-16 dated 19-7-44.

T Revaraimbar
21.8.44

For Joint Secretary.

To The Secretary to Government, Public Works Department, with enclosures in original.

k.t.a.19/8.

A/c 19/8

(True extract)

(sd)F. Hbrisiec

Secretary

the Collectors of all districts

for warded.

(By order)

T R Dalakia

Superintendent

D.11.4.

M.S.R.
11/4

Government of Madras

PUBLIC (SERVICES) DEPARTMENT

G.O. No. 657, 29th March 1940

Public Services—Madras Ministerial Service—Selection of candidates—Revised procedure—Introduced.

Order—No. 657, Public (Services), dated 29th March 1940.

Under the existing procedure, candidates who sit for the competitive examination for the Madras Ministerial Service are classified by the Madras Pulic Service Commission according to the districts in which they wish to be appointed andn each district they are further classified according to their communities and languages. Under these classifications they are arranged in order of marks obtained by them at the competitive examination and the required number of candidates under each language and community is selected for each district. The Commission has pointed out that the above system of selection for each district does not ensure the selection of the best candidates of the same language and community and has accordingly suggested for adoption the following revised procedure :— The vacancies estimated to arise will be classified under the several languages and communities for the Presidency as a whole, e.g., Tamil Non-Brahman Hindus, Tamil Brahmans, Telugu Non-Brahman Hindus, etc. After the tabulation of the marks the topmost candidates up to the required number will be selected from each group. Candidates will still be allowed to indicate in their applications the districts in which they wish to be employed, but they will also be informed that though their wishes will be considered they must be prepared to be selected for any district in a language group. The selected candi-

37
30/8/87

Memo 3581 C/44 Dt

uildings - South Kanara - Mangalore
ollectors Bungalow Compound - surplus
extent - Petition from Rao Bahadur K.
P. I C.7. / Ref :- from the Bd: of Rev. Rc E. 5489/4 ... Dt 16-8-1

(C)

This attention of the Bd. of Rev is invited to Govt. Sec. to Govt. 2325 P.W. Dt 17-8-1944, ~~in which sanction was accorded to the sale of the surplus extent~~ ~~referred to~~, has been ~~accorded to the sale of the surplus extent~~ ~~intended to be sold to~~ to the St Agnes College authorities, Mangalore, ~~and the Board requested to inform the petitioner accordingly~~.

Dft Sale Deed ac 31/87

Govt. Sec. to Govt. 2325 P.W. Dt 17-8-1944

CDS 29.8.44

of Revn
all enclosures)
Rp 2-9 in orgl.

Note :- After issue this may be stitched
Govt. 2325 P.W. Dt 17-8-1944. — (C)